BOMBAY COURIER.

Published every Saturday and Tuesday Morning.

VOL. XLI. NUMBER 2080.] SATURDAY, OCTOBER 8, 1831. [PRICE Rs. 13 PER QUARTER

IN THE SUPREME COURT OF JUDICATURE AT BOMBAY.

SHERIFF'S SALE.

Seized by Virtue of a writ of Fieri Facias at the Suit of MOTYRAM UNOOPRAM, Plaintiff.

V.

GUNPUTROW MOROJEE, Defendant.

NOTICE,—is hereby given that on Tuesday the 11th inst. at 3 O'Clock in the Afternoon, will be put up for sale by Public outcry on the premises, a garden the property of the Defendant above named, situated on the Breach Road in the neighbourhood of a Garden belonging to Shreecrustna Heerajee.

CHAS. FITZROY.
Deputy Sheriff,

BOMBAY SHERIFF'S OFFICE,
7th October, 1831. [24]

શ્રી•ખુંબઇની•જ્યુડીકેટરની•સુપરીમ•કોરટમાં

શરીફનુ•વેચાણ

મોતીરામ•અનુપરામની•કોરટની•ડીકરીથી•ટાચ•મારીને•કબજ•કીધીછે•તે—કરીઆદી•કરનાર *

ગનપટરાવ•મોરોજી—જવાબ•દેનાર *

ખબર•કીર્આંથી•આપીએચજે

મંગલવારે•તારીખ ૧૧ મી•ચાલતા•મહીનાંનીએ•પાછલા•પોહોરનાં•કલાક• ૩ નાં બાંકાં•મીલકતછે•તાંકાંજ•જાહેર•લીલાંકુ કરીને•વાડી•એક•માહાલખશમીનાં•રશતા આગલ•શરીકુકુશટનાં•કીરાજીનીવાડીની પકોશમોછે•તે•વેચશે—એ•મીલકત•ઉપર કહેલા•જવાબ•દેનારનીછે *

• ચારલીશ•કીતજરોએ

કીપીકુટી•શરીફ

શ્રી•ખુંબઇનાં•શરીફની•આકીશ

તા• ૭ મી•અકટોબર ૧૮૩૧

IN THE SUPREME COURT OF JUDICATURE AT BOMBAY.

SHERIFF'S SALE.

Seized by Virtue of a writ of Fieri Facies at the Suit of SONABOYE Widow of MERWANJEE MANOCKJEE, Patell Deceased.

V.

CUSTOORBOYE Widow of DOOLLUB MOORAR, Deceased.

NOTICE is Hereby given that on Friday the 14th instant at 3 O'Clock in the afternoon will be put up to sale by Public outcry on the premises, A Garden situated at Mazagon in the neighbourhood of a Garden belonging to MOTTECHUND AMECHUND, the property of the above named defendant

CHARLES FITZROY,
Deputy Sheriff,

BOMBAY SHERIFF'S OFFICE,
6th October 1831. [35]

શ્રી•ખુંબઇની•જ્યુડીકેટરની•સુપરીમ કોરટમાં

શરીફનુ•વેચાણ

શ્રુનાંબાંઇ•તે•મેહેરવાંનજી•માંણેકજી•પટેલની•વીધવાની•કોરટની•ડીકરીથી•ટાચ મારીને•કબજ•કીધીછે•તે—કરીઆદી કરનાર *

કશનુરબાઇ•તે•મોરાર•કુલબની•વીધવા•તે—જવાબ•દેનાર *

ખબર•કીર્આંથી•આપીએચજે

શુકરવારે•તારીખ ૧૪ મી•ચાલતા•મહીનાંનીએ•પાછલા•પોહોરનાં•કલાક ૩ નાં બાંકાં•મીલકતછે•તાંકાંજ•જાહેર•લીલાંકુ કરીને•વાડી•એક•મજગાંમમાં•મોતીચંદ• અમીચંદની•વાડીની•પકોશમોછે—એ•મીલકત•ઉપર•કહેલાં•જવાબ•દેનારનીછે *

ચારલીશ•કીતજરોએ

કીપીકુટી•શરીફ

શ્રી•ખુંબઇની•શરીફની•આકીશ

તા• ૬ ઠી•અકટોબર ૧૮૩૧

THE Committee of the Bombay Education Society having resolved to dispose of the Piece of Ground situated within the Fort, near to St. Thomas's Church, the site of the old Charity Schools, will receive Tenders for the same from Persons who may wish to purchase it.

The Tenders must specify the rate per square yard which Purchasers are willing to give. The Committee reserves to itself the right of rejecting any offer which may not be deemed satisfactory.

Tenders will be received until the 31st Instant, addressed to "the Secretary of the Bombay Education Society", at the Byculla Schools. The Ground can be seen on application to Mr. BROWN, Sexton of St. Thomas's Church, with whom a plan of it is left.

By Order of the Committee,
T. CARR,
Secretary
Bombay Education Society.
Bombay, October, 7th 1831. [14]

THE Annual General meeting of the Bombay Auxiliary Bible Society will be held under the Organ loft of Saint Thomas's Church on Tuesday next the 11th instant, at 11 eleven o'clock A. M.

HENRY JEFFREYS.
Secretary.

BOMBAY,
8th October, 1831. [27]

IN THE COURT FOR THE RELIEF OF INSOLVENT DEBTORS.

In the Matter of the Petition of JOHN SAUNDERS, an Insolvent Debtor.

NOTICE is hereby given that the Court for the relief of Insolvent Debtors will be moved on Monday the 17th day of October, Instant, that such remuneration, as the Court shall deem proper, may be awarded to Mr. SAUNDERS for the Assistance which he has rendered the Assignee in realizing the Assets of the estate of the late firm of Saunders and Co. and for the trouble he has had in winding up the concerns of that firm.

ALEX. FERRIER.
Common Assignee.

BOMBAY COURT HOUSE,
COMMON ASSIGNEE'S OFFICE.
4th October, 1831. [8]

ADVERTISEMENT.

APPLICATION having been made to the Supreme Court of Judicature at Bombay that Probate of the last Will and Testament of SHREECRUSTNA WITTOJEE Hindoo, late of Bombay deceased, may be granted to SUDANUND BALCRUSTNAJEE, Hindoo of Bombay Inhabitant one of the Executors named in and appointed by the said last will and Testament, all persons concerned are hereby apprized thereof.—Dated this 3d day of October 1831.

E. C. MORGAN,
[12] PROCTOR FOR PETITIONER.

ज्याहिर खबर

कैलासवासी श्रीकृष्णा वीठोजी हिंदु मुंबईकर यांचे शेवटचे मृत्युपत्राचा आखत्यार घ्यावया करीता मुंबई जुडीकेटरचे सुप्रीमकोउतात सदानंद बाळकृष्णाजी हिंदु मुंबईकर राहाणार आणी कैलासवासीचा एक वकील त्याचेनाव शेवटचे मृत्युपत्रात लिहुन मुकरर केलेआहे याणो आर्ज केलाआहे की आलास द्यावा याबाबद कोणी संमध ठेवीत आसतील त्यास जाणव्हावे तारीख ३ आकटोबर सन १८३१

ई-सी-मार्गन आर्जकर
णाराचा वकील

GRUAUD LA ROSE CLARET.

MESSRS SHOTTON AND CO. have just received from Messrs. Balguerie and Co. direct from Bordeaux by the Brig *La Cherie*, a small quantity of the above highly esteemed wine, which may be had on application at their Godowns at 30 Rs. per dozen.

Bombay 8th October, 1831. [16]

MR. DIDON,

BEING on the point of quitting Bombay, begs to announce that he has for sale, the following assortment of excellent Guitar, Violin, Bassviol, and Piano Forte Strings, together with a choice collection of Music, at the undermentioned very reduced prices, viz.

	R.	q	rs.
Sets of Guitar Strings complete	3	2	0
Do. Violin do.....do	2	2	0
1st, 2d, and 4th Base..do	3	2	0
PIANO FORTE STRINGS.			
Bundles, small size, each	0	2	0
Do. 2d do.....do	0	3	0
Do. Large do.....do	1	0	0
Do. Brass do.....do	2	0	0
Do. Spun Strings (English)	2	0	0
Tuning Hammers for the Piano	3	0	0
Capotasto, ebony	2	0	0
Do. Copper, vice	4	0	0
Tuning Forks (Diapason)	3	0	0
Very fine horse hair for Fiddle Sticks, each.	0	2	0

Select music for the Piano Forte, from Operas by Rossini, Freischutz, Auber, Boieldieu, Beethoven, Payer, Moscheles, &c. &c. for 2 or 4 hands; price from 3 & ¼, to 9 Rupees.

Vocal Music, with accompaniment, for the Piano Forte; the words in French, viz.

	Rs.	qr.	rs.	Rs.	qr.	rs.
Le Comte Ory op. de Rossini, each,	3	0	0 to	6	0	0
Catalogue Thematique, Fiorella.	1	2	0	5	0	0
L'Italienne à Alger de Rossini 5 pieces	4	2	0	0	0	0
La muette de Portici op. Auber	2	2	0	7	0	0
Fra Diavolo op....do	2	2	0	6	0	0
Danilowa op. A. Adam	1	2	0	5	0	0
La Fiancee do. Auber	1	2	0	6	0	0
Emeline do. Herold	1	2	0	4	2	0
Nos. 5 & 6 L'Illusion, *le Trio et le Chœur des Villageois*	5	1	0	0	0	0
Guillaume Tell du Célébre Grehy.	1	2	0	4	2	0
Fernand Cortez, Duo Amazili & Telasco mus. Spontini				4	2	0
Air de Beniouwsky Boieldieu				3	3	0
Leicester ou le Chateau de Kenilworth Duo Auber				3	3	0
Grand assortment de Nouvelles Romances avec de belles lithographies, paroles en Francais accompt. de Piano Forte, each.				2	0	0
Do. do. do. accompt. Guitare, each.	0	3	0	1	0	0

PIECES D'OPERAS AVEC ACCOMPANIMENT DE GUITARE.

	Rs.	qr.	rs.	Rs.	qr.	rs.
Moise en Egypte, de Rossini prière a 4 voix; paroles en Francais / Le passage de la mer rouge, paroles en Italien. / Le Barbier de Seville de Rossini No. 9 *pace, e gioja* } 2 pieces..				3	2	0
No. 10 ô Patria ! ingrata Patria				3	2	0
Le comte Ory de Rossini	1	2	0	5	0	0
Guillaume Tell do. 3 pieces de l'op				7	0	0
Les deux nuits, Boieldieu	1	0	0	3	2	0
La Dame Blanche do	1	0	0	3	0	0
La Muette de Portici do. Auber	1	2	0	3	0	0
La Fiancée.....do	0	3	0	3	0	0
Fiorella.....do	0	2	0	3	0	0
Emeline Herold	0	3	0	1	0	0

MUSIC FOR THE GUITAR, VIOLIN AND OTHER INSTRUMENTS.

	Rs.	qr.	rs.
Grand Duo pour deux Guitares par Henry op 14e	4	2	0
8 Duos pour deux Guitares do. op. 16e	6	0	0
3 Œuvres de Duos violon, par Mayseder	10	0	6
3 Duos faciles pour le violon dédiès aux amateurs op, 4e	6	0	0
3 Duos faciles œuvre 22e par Lottin do. do.	6	0	0
Air varié de Viotti, avec accompt. de Piano-Forte	5	0	0
Mélange d'airs Polonais et Russes. variés pour violon et Piano	6	0	0
Trois Duos concertans pour Clarinette et cor	5	0	0
Six Duos pour deux Clarinettes par Vanderhagen	7	0	0
Quintetto pour une Clarinette en Si 2 violons, alto et Bassa, par Reicha	6	0	0
24 Préludes et Fugues pour le Piano Forte par le Baron Nicolas de Krufft	24	0	0
Methode ou Instructions pour le Forte Piano composée et doigtée par J, B. Cramer	12	0	0
Etudes pour le Piano Forte, contenant 24 préludes faciles et progressifs dans tous les tons majeurs et mineurs par Kohler	6	0	0
10 Sonatines progressives de Clementi pr. Piano	10	0	0
NEW QUADRILLES.			
1st Recueil du Petit Blanc pour quintetto	6	0	0
2d Do. du mariage de Figaro Grande Orchestre	4	2	0
3d Les Soirées de Paris & de Londre do.	7	2	0
4th Sur les motifs de Maria do	5	0	0
5th Les Soirées de famille, Contre-danses and valses pr. Forte Piano, 7e. Recueil (avec accompt. de violon ou flute non obligé) / Les Soirées agréables de la Compagne, }	8	0	0
POUR HARMONIE MILITAIRE.			
La Donna del Lago, l'ouverture et 2 Suites	30	0	0
Le Dame Blanche op; formant 4 Suites	60	0	0
Methode ou Instructions pour connaitre parfaitemt. la Nouvelle Clarinette a 13 clefs, par Muller	24	0	0
50 Sheets of ruled music paper	3	2	0

VERY SUPERIOR MODERN INSTRUMENTS.

New ebony Clarinet (B.) mounted with ivory, having 14 Silver Keys, a patent Silver mouth-piece (bec goupillé avec bride et clavette d'argent), in an elegant French polished Mahogany box complete	240	0	0
A Do. do. do. made of box..do	220	0	0
A Do. do. do. do. do. in C. do	220	0	0
An ebony flute, lined with Silver, having six Silver Keys, in a Mahogany Case.	100	0	0
A Hautboy, ebony, ten Silver Keys, with a reed case, and Mohogany box	160	0	0
12 Clarionet reeds	10	0	0
Do. Bassoon do	20	0	0
Do. Hautboy do	20	0	0
Sponges for cleaning flutes	1	0	0
Do. do. Clarionets	1	0	0
Do. do. Bassoons	1	2	0
Superior Musical Snuff Boxes	30	0	0
Do. do. do.	27	0	0

Apply at No. 3, Meadows Street, next Door to the Commander in Chief's Office.

WINES FOR SALE,—At the Godowns of MESSRS. FORBES AND CO.

Madeira Wine, Choice London Particular, from Keirs and Co. per Duke of Roxburgh, in July 1831, at Rs. 650 per pipe, and Rs. 325 per hhd.

Do. Do. from Gordon, Duff, and Co. per Valleyfield, in July 1829, at Rs. 650 per pipe, Rs. 325 per hhd. and Rs. 175 per quarter Cask.

Do. Do. from Murdoch, Yuille, and Co. per Isabella, in September 1829, at Rs. 650 per pipe, and Rs. 325 per hhd.

Do. Do. from ditto per Janet, in October 1830, at Rs. 600 per pipe.

Do. Do. from R Symonds and Co. per Circassian, in June 1830, at Rs. 400 per pipe, and Rs. 200 per hhd.

Do. Do. London Market from ditto, per ditto, at Rs. 300 per pipe.

Do. Do. London Particular in bottle, Rs. 21 per dozen.

Sherry from G. Harborn and Co. (brown) in hhds, at Rs 450 per hhd.

Do (golden) in six dozen cases at Rs 24 per hhd.

Do Do W. Phelps and Co. in butts, and hhds. at Rs. 450 per butt, and Rupees 225 per hhd.

Do. Do. Hope, Bruce, and Co. in six dozen chests, at Rs. 24 per doz. quarts. and Rs. 13 per dozen Pints.

Do. Do. Mr. David Rankine; in do. do. Rs. 20 per dozen quarts.

Do. Do. Mr. John Jameson, in do. do. Rs. 24 per do.

Do. Do. Harper and Bell, in do. do. Rupees 24 per do.

Do. Do. Mr. A. Black, in do. do. Rupees 24 per do.

Claret from Bruce, Shaw, Hope, and Co. in do. do. 1st growth Rs. 36 per do. 2d do. Rs. 30 per do.

Do. Do. Bell, Rannie, and Co. of Leith, in three do. do. Rs. 25 per do.

Do. Do. B. Phelhan, of Bordeaux, in do. do. Rs. 25 per do.

Do. Do. Destournel, of Bordeaux, in one do. do. Rs. 25 per do.

Do. Do. different Houses at Bordeaux, St. Julien and Medoc, in one do. do. Rs. 14 at 12 per do.

Port Wine, Rs. 21 per do.
Do. Rs. 11 per do. Pints.

Sercial, in three dozen Chests Rs. 30 per do. quarts.

Malmsey, in six dozen Chests, Pints, Rupees 16 per do.

Vin de Grave and Sauterne Rs. 14 per doz.

Bucellas Wine, from Harper and Bell in 6 dozen Chests Rs. 27 per do.

Old Hock, from George Christopher and Sons, in four dozen cases, Rs. 40 per do.

[9] *Bombay 8th October*, 1831.

NEILGHERRIES.

THE Public are respectfully informed, that the undersigned is prepared to supply vegetable and Flower Seeds of every variety hitherto furnished by MR. JOHNSTON, on application; the former at Rs. 10 and the latter at Rs. 3 per packet. He will also meet demands for Potatoes to any extent; this valuable and nutritious article being now produced on the Hills in any quantity, may be had at the very moderate price of one rupee per maund. For Shipping, or other very extensive supplies previous intimations, say of three months, is desirable: minor commissions will meet with prompt execution, on being accompanied with a remittance of the Cost and half the expense of carriage. The Potatoes delivered shall be picked large and of the finest quality.

ROBERT LESLIE.
Ottakamund, 20th Sept. 1831. [10]

NOTICE.—The interest and responsibility of JOHN CALDECOTT in our Firm ceases this day. The business hitherto conducted by us, will in future be carried on under the Firm of OWEN AND CO.

OWEN CALDECOTT & CO.

[17] *Bombay, 5th October*, 1831.

A CARD, The partnership between HOSSUNGJEE CAWASJEE and SORABJEE CAWASJEE, of Secunderabad having been by mutual consent dissolved, Notice is hereby given that from the 25th April 1829, the said Shop and business will be continued to be carried on, in the sole name and interest of SORABJEE CAWASJEE,

Bombay 8th October, 1831.]15]

ખબર

હોશંગજી • કાવશજી • નચા • શોરાબજી • કાવશજી • રૂસ્તમજી • દોરાબાદવાલા • એ • બેકુ • જનાં • લાગીચા • કુના • તે • બેકુની • ખુરીથી • લાગ • ચુકાવી • લીધેછે—ખબર • ઈચ્છાંથી • આપીએચજે • તારીખ ૨૫ મી • આપરેલ ૧૮૨૯ ને • ડીનેથી • કાંમ • એખલા • શોરાબજી કાવશજીને • નામનુ • ચાલેછે—તા • ૯ મી • અકટોબર ૧૮૩૧ ❀

NOTICE, BURJORJEE NANABHOY Surviving partner of the late firm of KEMPT AND CO, begs respectfully to tender his best acknowledgements and thanks to the Gentlemen who have, since the publication of his advertisement dated 5th March last, paid up the claims of that concern against them, or who have put their dues to the late firm in a train of liquidation.

B. N. begs however once more to reiterate to those Gentlemen, who, regardless of the situation of a firm dissolved now upwards of four years with considerable claims against it, still persist in either not answering the repeated applications made to them for coming to a settlement of their dues, or are indefinitely postponing payment, his determination after the 31st March next to allow no further time for the arrangement of any debt due to the late firm of KEMPT AND CO., at which period he will without reserve sell by Public Outcry all outstanding claims not previously arranged. [36]

Bombay, 8th Oct 1831.

NOTICE is hereby Given to the Creditors and others interested in the Estate of HORMUSJEE BHICAJEE MERJEE, and others trading under the name and firm of BHICAJEE MERJEE and Co. that a dividend of the principal part of the assets in the hands of the Trustees is about to be made and will be paid to those entitled to receive the same according to their respective claims at the Office of FRAMJEE CAWASJEE, the managing Trustee in Appollo Street, from and after the 15th day of November on their Executing the release prepared for their signatures in respect thereof;

And all Creditors, who have not come in under the deed of Trust, are requested to do so and to receive the said dividend without delay—Dated this 7th day of October 1831. [21]

TO BE LET.—The Upper Apartments of the House N. 4. Military Square, apply to CURSETJEE JAMSETTJEE, in the Fort.

[19] *Bombay, October 8th*, 1831.

AUCTION SALE: FRITH BOMANJEE AND CO. Will sell on Wednesday the 19th inst. the following Goods vizt. about 200 prime fresh Lancashire Hams, Chariot Harness, Saddles, and Bridles from Hugh McLachlan, Lenos, Cambric Handkerchiefs, Turbans, Jean, Imitation Shawls, Blacklead Pencils, and numerous other goods

With Horses, Carriages &c. as may occur, and a very superior assortment of Wines, consisting of Prime Sherries, Madeira, and French Clare, which they can recommend. [29]

MESSRS. FRITH BOMANJEE and Co. Have just received by the Vesper the following Wines from the respectable House of Carbonell and Son viz

1st Growth Claret	45 Rs.	per Dozen.
2d Do.....	30	ditto.
Port in Quarts.....	24	ditto.
Do. Pints.....	12	ditto.
Sherry do. Quarts....	26	ditto.
Do. Pints.....	14	ditto.

Terms Cash.

[28] *Nesbit Lane 8th October* 1831.

FRESH SODA WATER.

MESSRS. FRITH BOMANJEE and Co. have just received per Tam O'Shanter, A Batch of the above in prime order from Messrs. FRITH GORDON and Co. Calcutta, which they are authorized to sell at Rs. 8 per Dozen.

[54] *Nesbit Lane, 8th October*, 1831.

FRITH BOMANJEE AND CO,—Have received for Sale a great variety of valuable property belonging to a Gentleman about to embark for Europe viz.

A Splendid Set of Plated Dish Covers consisting of Twelve—An Epergne, four Hotwater Dishes, various Plates, Salvers, Cruet Stands, Bottle Stands, Soup Tureens &c. &c. &c. with an assortment of Silver Dessert Service also. A Handsome London built Chariot and a pair of Horses price Rs. 1500 and a London built Barouchette price Rs. 900.

[30] *Nesbitt Lane, 8th Oct.* 1831.

FOR SALE,—A very neat Bengal Built Shigram by (STEWART AND Co.) with Horse and Harness complete, price Rs. 1350.

The above is a very compact and desirable Carriage, and nearly new. Apply to FRITH BOMANJEE AND CO.

[31] *Nesbitt Lane, 8th Oct.* 1381.

SALE BY AUCTION, BECK and Co. On Tuesday next 11th instant, will hold their usual public sale and will dispose of chiefly without limit the following varied collection of goods viz. Sundry China Floor Mats nearly new, if not previously sold privately, Europe Mahogany Tea Caddies, a small quantity of fresh Sardinnes in Oil, Ladies Morocco Dressing cases and writing Desks, 40 dozen Jars of Jams and Jellies of sorts, a few dozen of Camphor Oil, and Essence of Peppermint, gold cased Watch keys, Seals, &c. 10 pieces of fine and 15 pieces of coarse Russia Duck, Sundry plated, cut and plain Glass ware, Long Cloths, Muslin, &c. of different textures, Wines and Liquors of sorts, 30 dozen of ripe Hodgsons Beer, a variety of useful Household Furniture and at 1 P. M. (if not sold by private Contract) a capital Buggy and Horse with Harness belonging to a Gentleman leaving the Presidency and any other Cattle that may offer

[32] *Forbes Street, 8th October* 1831.

SUPERIOR BRANDY, BECK and Co. Beg to draw the attention of their friends and the Community at large, to a small batch of very choice Cognac Brandy just received from the celebrated Firm of Harper and Bell, and which they are selling by the Gallon at a moderate rate.

[33] *Forbes Street, 8th October*, 1831.

A NEW Carvel built Cutter, with all her Sails &c. as she is now to be seen lying off the Custom House Bunder, will be sold by public auction on Tuesday next 11th Instant about noon by BECK AND CO.

[34] *Forbes Street, 8th October*, 1831.

EDULJEE CURSETJEE'S SON'S, will Sell by Public Auction, on Monday next the 19th Inst. at their Rooms, The Effects of an Officer deceased, consisting of Plate, Plated Ware, Glass and Queens Ware, a few articles of Furniture. Books, a Double Barrelled Percussion Gun by Mills, Military appointments, Wearing apparel, Tent, and various other Articles.

[23] *Bombay, October 8th* 1831.

FOR SALE, an Elegant London Built Britshka nearly new, with four Spare wheels and shafts for one Horse. Price and further particulars may be known by applying to EDULJEE CURSETJEE'S SON'S.

[47] *Bombay, 8th October* 1831.

ADVERTISEMENT.

NOTICE is Hereby Given That Mr. JOSEPH CHRISTOVAI DIAS, and Mr. PHILIP MURZELLO, of Bombay Portuguese Inhabitants, have taken in mortgage from MERBAEE, the widow of NUSSERWANJEE CAWASJEE, native Parsee Inhabitan of the same place a Dwelling house with its out houses and a building appertaining to her, situated within the Town walls as per assessment bill No. 611, called 6 Hammar Love No. 174, and also all her Estate in general has been Mortgaged, Hypothecated, to the said Mr. JOSEPH CHRISTOVAI DIAS, and and Mr. PHILIP MURZELLO, any person or persons who may have any demand, mortgage or Inheritable right, he or they are hereby required to make the same known, either personally or by their attorney or attornies, to the said Mr. JOSEPH CHRISTOVAI DIAS, and Mr. PHILIP MURZELLO, within fourteen days from the date hereof, otherwise the same will not be afterwards admitted.

Bombay, 6th October 1831. [20]

MESSRS. HAMILTON AND CO,—Have just received from MESSRS. BURKINYOUNG AND CO. a large supply of new vocal and instrumental Music, and musical instruments of every description, comprising those for a Military Band as well as others: all by the most approved makers, and Eminent Composers.

[37]

MESSRS. HAMILTON AND CO,—Have also received some elegant Spanish Mahogany Elastic Spring Chairs, with damask and Morocco Cushions, and are in daily expectation of receiving per Tam O'Shanter, a full sized Billiard Table, complete with balls, cues, &c. &c. from one of the first Houses in Calcutta.

[38]

ADVERTISEMENT.

MAMON SABOO ESSACK having agreed to purchase from MAMON SAJAN KHACOO son, heir, and representative of MAMON KHACOO SOOLAMON, deceased, all that piece of Land or ground with the Messuage, Tenement, or Dwelling house and also one moiety of a piece of Land or Ground with the Messuage Tanement or dwelling house, the former in the Mahomed Hussan Kambacer's Street assessed under No. 12 and in the neighbourhood of the house of Mamon Ebraim Kadoo and the latter in the Mahomed Ally Rogay's Street, also assessed under No. 59 and in the neighbourhood of the house of the late Gowley Cassim both situated without the Town walls of Bombay, and that the said property was mortgaged by the said Khacoo Soolamon in his life time to Ramdass Heerachund Trading under the name and firm of Motty Ragoonath; any person or persons having any claim or demand, or inheritable rights thereon, are requested to notify the same to the said Purchaser, at his house in Mahomed Husson Kambacer's Street, without the Fort walls of Bombay within 14 days from the date hereof otherwise they will be precluded therein.—Dated this 8th day of October 1831. [25]

ખબર • ખબર

મેમન • શાબુ • ઇસાકે • ધેકર • એક • જમીન શાઠે • તથા • ખીજુ • ધેકર • એક • જમીન • શાઠનો અરધો • ભાગ • મેમન • શજીન • ખાકુ • તે • મરનાર • મેમન • ખાકુ • શુલેમાનનો • છોકરો • તથા વારશદાર • પાસેથી • વેચાતુ • લેવાનુ • શાટ્ટ • ઝીધુછે • તે • પેકેલુ • ધેકર • મેમન • હશેન • કાંમ ભેકરનાં • મોકોલામાં • તે • ઉપર • નંબર ૧૨ મોજે • તથા • મેમન • ઇલરાહમ • કાદુનાં • ધેકરની • પડોશમોજે • તથા • બીજુ • ધેકર • મહમદ • અલી • રોગેનાં • મોકોલામાંજે • તે • ઉપર • નંબર ૫૯ મોજે • તથા • આગલા • ગલી કાશંમનાં • ધેકરની • પડોશમોજે • તથા • એ • બેકુ • ધેકરો • શ્રી • બાકારકોટજે • તથા • એ • મીલકત • ખાકુ • શુલેમાને • પોતાની • કએઆ તીમાં • રામદાશ • હીરાચંદ • તે • મોતી • ઉગના ઠને • નામનો • વેપાર • કરેછે • તેને • ગીરવી • આપેલી • હતી—એ • મીલકત • ઉપર • કરએક • લોક • અગાર • લોકોનો • દાવો • અગાર • માંગણ અગાર • વાશી • પોચતો • હોયતો • તેનાંમાને જાણ • કરેચજે • તેઆએ • આ • થી • દીન ૧૪ ની • મુદતમાં • ખરીદદારને • શ્રી • બાકારકોટ • મહમદ • હશેન • કાંમભેકરનાં • મોકોલામાં • અકર • કર—મુદતપછી • કોજનો • દાવો • કબુ • કરશે • નહી—તારીખ ૮ મી • અકટોબર ૧૮૩૧ ❀

A CARD.

NUSSERWANJEE AND RUTTONJEE beg to announce to their Customers and the public in general, that they have received the undermentioned articles just imported per Ship Vesper Capt. D BROWN, from London, viz. York Hams and Pine Cheese. [53]

A CARD.

PARENTS and Guardians who may be desirous of sending their Children to England, under the protection of A. M. A. are invited to make early application, as it entirely depends upon the support that may be afforded towards obtaining a sufficient number of Children to make it worth her while to leave India, and engage in so arduous and responsible an undertaking. Some time being required to arrange matters it is desirable that all applications should be made before the 15th of November next.—Further particulars may be known by a line addressed (Post paid), to Messrs. FORBES and Co., Messrs. SHOTTON and Co., and Messrs. REMINGTON and Co.

[52] *Bombay, 8th October*, 1831.

WANTED by a respectable European Female a situation as Servant to any Lady proceeding to England. Particulars may be known on Applying to the Courier Office.

[26] *Bombay, 8th October*, 1831.

R. H. ULLYTHORN, Surgeon, continues to attend private families and Ships in the harbour.

May be consulted from 10 to 4 every day.

Prompt attendence at all hours.

Military Square, 8th Oct. 1831. [39]

REMINGTON AND CO.

THE following Wines of Superior quality from Messrs. TODD, and BOSANQUET.

Claret 2d Growth.....Rs.	30 per doz.
Pale Sherry.....	26 per do.
Bucellas.....	20 per do.
Port Wine in quarts....	20 per do.
Do. do. in pints.....	12 per do.

R. & Co. will register orders for the above Wines to be supplied, whenever the stock may be expended from the first shipments they may receive, and will forward to TODD and BOSANQUET orders for annual supplies of the above and other Wines for individuals and Regimental Messes. The shipping prices of all T. and B's. Wines may be known on application to R. and Co who will receive payment on the arrival of the orders in Bombay.

[40]

FOR SALE, at the Godowns of Messrs REMINGTON AND CO. A fresh batch of PHELAN'S Superior highly flavoured CLARET, at Rs. 25 per dozen, in cases of three dozen each.

[41] *Bombay, 8th Oct.* 1831.

TO BE LET,—The Upper Roomed House, in the Fort, with or without the premises which were lately occupied as the General Paymaster's Office; for further particulars, apply to DADABHOY PESTONJEE, in the Fort near the Taeatre.

[42] *Bombay, 8th Oct.* 1831.

TO be Let, a Large commodious airy upper roomed House, having a spacious compound, and may be rented either with or without large godowns and stabling complete, situated in Deans Lane opposite Messrs. McGregor and Co. to be entered in immediately; this House commands an excellent view of the Government garden, and is well adapted for families, merchants, or office, may be viewed from 10 till 5: further particulars will be made known on application to DORABJEE RUTTONJEE, Broker, in Cawasjee Patell Street,

[22] *Bombay 7th October*, 1831.

NO XIV. Of the Oriental Sporting Magazine will be published during the 1st week in November, and it is requested that all communications intended for that number be forwarded on or before the 25th instant. [11]

JUST PUBLISHED,

THE Quarterly Army List corrected up to the 31st July last.

Price, Rupees Three. [48]

FOR SALE, A few Copies of the English Sporting Magazine, from Nov. 1830 to June 1831. For particulars apply to SHREECRUSTNA JAGONNATHJEE, at the Courier office. [49]

JUST PUBLISHED,

THE INDIAN CALENDAR for the year 1832 shewing the correlative dates according to the various modes of reckoning time among the HINDOOS, PARSEES, MUSSULMEN and MALABARIANS. Price Rupees Two.

Courier Office, 8th October, 1831. [50]

FOR SALE.—At the Courier Office,

The Bombay Calendar for 1831,	5 0 0
Indian ditto,.....	2 2 0
Blank Powers of Attorney,.....	0 2 0
Ditto Interest Bonds,.....	0 2 0
Do. Policies,.....	1 0 0
Do. Bills of Lading, per set,.....	0 2 0
Do. Respondentia Bonds,.....	0 2 0
Do. Bills of Exchange, per set,....	0 2 0
Plans of the Island,.....	1 0 0
Traveller's Itinerary,.....	5 0 0
Insolvent Debtors' Act,.....	3 0 0

LETTER-PRESS PRINTING, neatly executed on moderate terms. [51]

Passage to Liverpool.

THE Fine fast sailing Ship ROYAL GEORGE, of 500 Tons, William Wilson, Commander, will positively sail about 10th November.

Has superior accommodations for Passengers and carries a Surgeon, plans of the Cabins may be seen at the Office of RITCHIE STEUART AND CO.

Rampart Row, 5th Oct. 1831. [13]

For Freight, or Passage to London.

The fine Ship "LONACH," of 400 Tons, W. H. DRISCOLL, Commander, has good accommodations for passengers, carries an experienced Surgeon, and will sail for the above port on the 10th Proximo, calling off the Malabar Coast for passengers.—Apply to Captain Driscoll, at the office of Messrs. FORBES and Co. where plans of the Cabins may be had.

[43] *Bombay, 8th October*, 1831.

Digitized with financial assistance from the Government of Maharashtra on 08 April, 2017

For Passage to London.

The fine Ship VESPER Burthen 310 Tons ROBERT BROWN, Commander, having a full Cargo engaged, will positively sail towards the end of next month, apply to the Commander on board or at the office of Messrs. REMINGTON and Co. where plans of her accommodations may be seen.

[44] *Bombay, 8th October*, 1831.

For Passage to London and Cape of Good Hope.

The fast sailing well armed Ship LORD AMHERST 600 tons Burthen, JOHN HICKS, R N. Commander, will sail on the 10th of November; carries a Surgeon, and is expressly fitted up for Passengers; Plans of her Cabins may be had and further particulars known, by applying to Captain HICKS at the Office of Messrs. DIROM CARTER and Co.

[45] *Bombay, 8 h October*, 1831.

For Freight and Passage, to London.

THE Ship LADY RAFFLES, WILLIAM TUCKER Commander, of 650 tons, was to leave Portsmouth on 5th July, may be expected here early next month and will positively sail on the 15th December. *The Raffles* has excellent accommodations, having double stern galleries, the same as an Indiaman—and carries a Surgeon.—Apply to ADAM, SKINNER and Do.

Bombay, October, 8th, 1831.

[46]

GENERAL ORDERS.

By the Right Hon'ble the Governor in Council.

Bombay Castle, 27th September 1831.

No. 364 of 1831.—The following temporary arrangements are confirmed:—

Lieutenant D. M. Scopie to act as Adjutant to the 14th Regiment from the 16th March to the 14th. May 1831.

Lieutenant A. Hand to act as Quarter Master and Interpreter to the 2nd. Grenadier Regiment Native Infantry, during the absence of Ensign Hart on duty at Poona.

No. 365 of 1831.—A Station Order by Lieutenant Colonel R. Robertson, under date the 9th. instant, directing Captain T. Graham of the 2nd. Grenadier Regiment Native Infantry to assume the Command of the Troops at Satara, during the absence of the former Officer on duty at Poona, is confirmed.

Bombay Castle, 30th September 1831.

No. 366 of 1831.—Ensign A Morison of the 22d Regiment Native Infantry, is allowed a furlough to Europe for one year, on urgent private affairs, ceasing to draw pay from the date of his embarkation.

No. 367. of 1831.—The Right Hon'ble the Governor in Council is pleased to direct that the following Extracts from dispatches from the Hon'ble the Court of Directors, be published in General Orders.

Letter dated 22nd. April 1831. *No.* 21.

Para: 1. We have permitted Lieutenant Colonel W. Morison, late of your Establishment, to retire from the Hon'ble Company's Service from the 25th February 1830.

Letter dated 25th. May 1831. *No.* 27.

Para: 1. We have permitted Major P M. Pedlar, late of your Establishment, to retire from the Company's Service from the 24th. May 1829.

By Order of the Right Hon'ble the Governor in Council,
C. NORRIS,
Chief Secretary.

HIGH WATER TABLE,—8th OCT. 1831.

Saturday	0 37
Sunday	1 12
Monday	1 52
Tuesday	2 35
Wednesday	3 28
Thursday	4 31
Friday	5 49

EXCHANGE.

On London at 6 months' sight at 1 | 9
Calcutta 30 days 107 B'y Rs. per 100 Sicca. Rs.
Madras 30 days 101½ B'y Rs. per 100 Madras do.
Remittable Loan 115 B'y Rs. per 100 Sicca do.
5 per Cent Loan of 1822 | 23 according to the period of discharge. 107 at 110
Do. of 1825 | 26 } 110 at 111 } Do per Do.
Do. of 1829 | 30 }

MILITARY ARRIVALS AND DEPARTURES,

ARRIVALS.

Ensign Cormack 22d Regt. N. I. from Ahmedabad.
Capt. Mordon H. M. 6th Regt. from Poonah.
Major Sutherland 13th Regt. N. I. from Dapoolie.
Ensign Amiel 1st Gr Regt. from Poonah.
Ensign W. C. Stather 1st Gr. Regt. from do.
Captain Mackworth, Queen's Royal's from Poonah.
Ensign J. R. Keily, 20th Regt N. I. from Hursole.
Ensign H. W. Preedy, 25th Regt. N. I. from do.
Captain C. Parr, 7th Regt. N. I. from Belgaum.

DEPARTURES.

Lieutenant J. Smythe, 4th Regt. N. I. to Poonah.
Lieutenant Colonel Morgan, to Hursole.
Ensign Morison, to Europe.
Lieut. A. Fitzroy 1st Cavalry.

DOMESTIC OCCURRENCE.

MARRIAGE,

On the 6th Instant, at St. Thomas's Church, by the Rev. Thomas Carr, Acting Archdeacon, A Montgomery Esq. Assistant Surgeon, 4th Troop Horse Artillery; to Emma Augusta, fourth Daughter of John Richards Esq. late of Southhampton.

SHIPPING REPORT.

ARRIVALS.

None.

DEPARTURES.

October 1st Ship Gipsey, Robert Highat. Master, to Liverpool.

Passenger.—Mr. Hill Queen's Royal's.

2d Brig Neptune, William Wittleton Master, to Port Glasgow.

Passenger.—Capt. Livingstone.

Ship Cavendish Bentinck, R. A. Humphrey's, [illegible] Calcutta,

Hon'ble Company's Surveying Ship [illegible]as Elwon Esq. Commander to Cossier.

Do. Arab Ship Darria Beggy, Shaik Fanker Ally Nacquedah to Rangoon.

Passenger.—Mr. O' Brien.

LIST OF SHIPPING IN THE HARBOUR.

FREE TRADERS.—Minerva, Vesper, Lord Aemerst, Lonach, and Royal George.

COUNTRY SHIPS.—Byramgore, Cadery, Maacborn, Dadaloy, Discovery, Eliza and Tam O'Shanter.

ARAB.—Fazarabany, Seena Futta, Munsoory, and Futtay Eslam.

HON. COMPANY'S *Receiving Ship*—Hastings.
Do. Do. *Steamer*—Hugh Lindsay.
Do. Do. *Sloop of War*— Elphinstone.
Do. Do. *Schooner*.—Royal Tiger.
Governor's Yacht—Telica.
PORTUGUESE BRIG.—Aurelia.
BRAZILIAN—Amizade.
AMERICAN.—Nereus.
FRENCH.—La France, and La Cherie.

TO CORRESPONDENTS.

We have received an account of the late Fancy Dress Ball at Poona, but must decline publishing it, as parts are rather too high flown for the columns of the Courier.—We must acknowledge however, that it is much superior to the jargon upon the same subject which appeared in last Wednesday's Gazette.

THE COURIER.

SATURDAY, OCTOBER 8, 1831.

The late arrival at Calcutta from Singapore, renders it certain that Captain Pepper had determined to alter the course of the *Coote*, for the purpose of taking to England the important dispatches respecting the state of affairs at Canton, which were left at Anjier by the *Austen*.

One of the last Bengal papers alludes to a rumour of dispatches having been received from the Governor General, communicating his sentiments respecting the state of affairs in China, which it is hinted, are in favor of the adoption of immediate and decisive measures, in case the select Committee should fail to receive satisfactory explanations from the Government of Pekin.

The *Challenger* it was supposed was to convey dispatches upon the subject to the Admiral who is now in the Straits, and should the above rumours prove correct, would in all probability hasten to support by his presence the demands of the Supracargoes.

It is impossible to conjecture at present, what may be the course pursued by the Chinese, but, should symptoms be shown of adhering to the policy they have lately been disposed to adopt, it is more than probable that the Company's Agents will unhesitatingly resort to the most effective measures they can devise, for the purpose of preventing the loss, which both their Hon'ble Masters, and the commercial community are threatened with, by the proposed suspension of intercourse between the two nations. In the present instance, they stand on much firmer ground than their predecessors did during the last rupture. Public opinion, which in these days is becoming omnipotent, is evidently in their favor as far as it goes, while formerly it was violently against them. We trust they will appreciate the change and act accordingly. In the mean time, it is sincerely to be hoped that the speedy arrival of the Country Ships, will place us in possession of intelligence of a more conciliatory nature than we have been anticipating

A file of South African Advertisers up to the 18th. of July has just reached us via. Madras. As might be expected, a good deal of anxiety prevails at the Cape respecting the plan brought forward by Lord Althorpe during the last Session of Parliament, for the purpose of equalizing the duties on Cape Wines.

The following paragraph from one of the papers in our possession, throws some light upon the underground sort of work carried on by the monopolists and their agents at home, for the purpose of defeating the attempts which have been made, to put an end to the vicious system by which they are thriving at the expence of the Country. "We learn (says the Cape Editor) on the authority of private letters which may be relied on, that the Colonial Committee of Canada and the Cape have united. The Canada Trade being in *principle* equally effected by the measures now in contemplation by Ministers. They now act together for mutual good." A coalition is thus declared with the most unblushing effrontery, for the purpose of defeating measures brought forward for the welfare of the public, and founded upon the clearest of all principles.

The mode of carrying on operations has become no secret since the days of Paul Benfield and the Carnatic job; and when we consider the fate of the Canada Timber bill during the last Session,—the Bill upon which Ministers first found themselves in a minority, we may easily conceive of the means by which it was effected, and the vast league which must have been formed for the purpose of acting against every description of improvement.

The Government Gazette of Thursday last, contains the following advertisement which, we insert for the purpose of enabling our commercial readers to judge for themselves upon the subjects it relates to, as we believe but few of them ever see the paper in which it originally appeared.

"GOVERNMENT ADVERTISMENT.
TERRITORIAL DEPARTMENT,
FINANCE.

Notice is hereby given, that the Warehousekeeper is authorized to make Advances of Cash to Individuals, upon the security of Goods and Merchandize, on the following conditions:

1st. The Parties to whom Advances may be made must agree that the consignment shall be landed at the East India Docks, that it be delivered into the Warehouses of the Honorable East India Company, and be subject to the management of the Honorable Court of Directors.

2nd. Upon each consignment, the value of which is to be ascertained by the Officers of Government, an Advance of ⅔d of such ascertained value will be made.

3rd. For the repayment of the Advance Bills of Exchange to be drawn in triplicate, at six months sight, at the rate of 1s. 9¼d. Per Bombay Rupee.

4th, The parties receiving advances to address in each instance, a letter, in quadrupilicate, to the Court of Directors, expressly authorising the sale by the Company (without either notice to or concurrence on the part of any Person whomsoever) at any period after default shall be made, either in acceptance or of payment of the Bills, and also authorizing the repaying themselves of the Advances made by retaining from Sale proceeds of the Goods, the amount of the principal and Interest (should any accrue,) of the Bills, and all charges; the Company, on the other hand, allowing discount to the parties for any unexpired term the Bills may have to run, at the time of the realization of the proceeds of the Goods.

The quadruplicate letter must state who are the Agents in each transaction, of the Consignor, and give distinct authority to the Court of Directors to settle with them.

5th. The Agents (should they desire it,) may be put into possession of the Goods, without their passing the Company's Sales before the Bills become due upon the amount of such Bills being paid, less discount to be allowed by the Company for the time the Bills have to run.

6th. The rate of discount to be allowed by the Company shall not be less than 3 per Cent per annum.

7th. The Parties will be required to place, in the hands of the Warehousekeeper, Bills of Lading and Policies of Insurance in triplicate. The Bills of Lading must contain a Provision, that the Goods be deliverable at the East India Docks, to order, and must be endorsed to the order of the East India Company, or be drawn deliverable to the East India Company. The Policies of Insurance must be endorsed payable to the order of the East India Company.

By Order of the Right Hon'ble the Governor in Council.
J. BAX.
Secy. to Govt.

Bombay Castle
6th, Oct. 1838.

The object of the offer contained in the above notification it must be evident to every body, is merely for the purpose of bringing the East India Docks into use, and thus deriving some return from the enormous capital which, it is generally supposed, has been squandered in the most wasteful and ill judged manner upon their construction.

The only question is, whether the Court of Directors will succeed in the plan they propose for the purpose. In short, whether the advance of two thirds which is offered, will prove a sufficient inducement for the consignor to hamper himself with the conditions and penalties contained in the notice.

The first and principal condition is, that the goods upon which the advance is made, be landed at the East India Docks and delivered into the Hon'ble Company's Warehouses, which are well known to be by no means so conveniently situated as those belonging to the London and St. Katharine's Dock companies, and must therefore entail a very considerable additional expense upon the consignment. No reduction of charges is offered as a compensation, indeed, nothing whatever is said upon the subject, and for aught we know, the exorbitant old rates may be expected which were levied before competition amongst the Dock Companies commenced.

The consignment is to be subjected entirely to the management of the Court of Directors; a circumstance we presume, that generally speaking, will not be considered as likely to secure the share of attention which is usually expected from private individuals.

These, and numerous minor disadvantages are to be submitted to for the purpose of obtaining the advance which is offered, and which to us, we must say, appears to carry every prospect of ruin along with it. To conclude, the plan appears to be a very round about one of the Court of Directors for drawing as we said before, business to the East India Docks, and which never can succeed until the charges are made very considerably less than they are elsewhere; when that is done, the advance will not be required.

EUROPE.

WILL THE HOUSE OF LORDS PASS THE REFORM BILL?

THE ablest and most influential of the "Conservative" journals takes, this week, the following notice of the House of Lords.

The Democratic Convention is now nearly complete: and thoroughly Democratic it will be found to be, in spirit as well as constitution. Already even before its legal birth, we find it preparing to grapple with the House of Lords, threatening, in the speeches of its future members, and in paragraphs, to treat the Upper House of Parliament as a court of registration, bound to fiat its decrees without remonstrance, on pain of being dispensed with altogether, as a useless and burdensome appendage to the state machine. *The House of Lords will probably submit: unsupported by the vigorous assistance of the Crown, indeed, it* MUST *submit*; and, after the experience of the last three years, such support by the Crown of any existing institution is what we are rather to pray for than to hope."

Yet, in the same day's *Standard*, under the head of "The Delegation Parliament and New Trustees of the Nation," there is a quotation from a provincial Conservative paper (*Felix Farley's Bristol Journal*), in which we are rated for having uttered an opinion like to that which we now quote from the *Standard*. As our able contemporary has not thought fit to give his reason for agreeing with us, we submit to him our reasons for believing that the House of Lords will pass the Reform Bill. Perhaps he will oblige us by acknowledging the courtesy. We like the *Standard*, on many accounts, but principally for the vigour, consistency, and honest wrath with which he has exposed the conduct of public men under the Boroughmongering system, and thereby helped to show the necessity of Reform. We are anxious, therefore, to maintain some friendly intercourse with him.

The House of Lords must be considered in two points of view,—first, as an assembly of Hereditary Legislators, existing for the benefit of the whole Nation, themselves of course included; and secondly, as an assembly partly composed of Boroughmongers, who have an interest separate from, and indeed opposed to, that of the Nation. Every member of the House of Lords, not a Boroughmonger, has the same interest as the rest of the Nation in putting an end to the system of boroughmongering. The whole House of Lords, in its only legitimate character, has this interest. But as every Boroughmonger, whether a lord, or a stockjobber, or a Jew contractor, is interested in the preservation of boroughmongering, it may be said that a portion of the House of Lords has an interest opposed to that of the Nation. Take this to be true with reference to Reform in the abstract, still the interest of the Boroughmonger Lord may be outweighed by the interest of the same person as an Hereditary Legislator; and that this is the fact, is almost proved, by the great number of Peers who are willing to sacrifice their influence in the House of Commons, for the sake of gratifying and benefiting the Nation, of which they are a part. Besides, every Peer, not a Boroughmonger, has a *peculiar* interest in promoting Reform, since he will thereby be placed on an equality with all his fellow legislators, instead of being, as hitherto, subject to those of them who administered the supreme authority by means of their influence in the House of Commons.

To recapitulate—All the members of the House of Lords, *as Hereditary Legislators*, will, in common with the Nation, gain by Reform: all the Peers, *not Boroughmongers*, have a peculiar interest in Reform: of those Boroughmongers who happen to be Lords, a majority prefer their interest as Lords—that is the national interest—to their interest as Boroughmongers. Consequently, the only opponents of Reform in the House of Lords, will be some few dull or reckless men, who cannot perceive, or perceiving, will not adopt, the course which is most for their own advantage. It is in the nature of things that is, of human motives, of public opinion, and though last not least, of the press—that this small minority should continually decrease. Who doubts that a large majority of the House of Lords will pass the Reform Bill?

Perhaps the *Standard* will favour us with his reasons for concluding that the House of Lords will "submit." We never used the word *submit*; nor would the use of it accord with our view of the probable conduct and the motives of the House of Lords. Can it be that the *Standard* yet harbours malice against the Lords Spiritual and Temporal for having passed the Catholic Relief Bill? We pause for a reply.—*Spectator, May* 22.

WHAT HAS THE KING GAINED BY THE DISSOLUTION?

ALL the Anti-Reform, or rather Ultra-Radical Reform, journals of London have vented some sneer at the King and the Whigs for creating Colonel Fitzclarence Earl of Munster. But the now Ultra-Radical Reformers dare not publish concerning the King that which they say of him amongst themselves. By "*dare* not," we mean, not that they fear the Attorny-General, but that, in the system of government which they would uphold, the King is, like the priest of some Pagan communities, a person to be treated with reverence in public, though in private he be the slave of the political chiefs. The now Ultra-Reforming Tories, if they have any hope at all, yet hope to control the King, as since the Revolution every King of England has been controlled by certain owners of borough-power. They dare not, therefore, abuse the King, however great their

inclination that way. In order to gratify their inclination without committing themselves, they have recourse to quotation. But take as a specimen of their attachment to "his most sacred Majesty,"* the following extract from the *John Bull* of last Sunday.

"It appears by Friday's *Gazette*, that the King has been pleased to create Colonel Fitzclarence an Earl, Viscount and Baron of the United Kingdom, by the style and title of Earl of Munster, Viscount Fitzclarence, and Baron Tewkesbury.

"Upon this creation there can be but one opinion: and we fully concur with the following remark, which appears in the *Times* on Friday:—

"'A Peerage, with the rank of an Earl, is to be conferred on Colonel Fitzclarence. The relationship of this gentleman to the fountain of honour, united to his high attainments, moral worth, and professional reputation, entitle him to such a mark of paternal regard; and the public cannot but rejoice that it will be conferred.'

"The illustrious houses of Richmond, Grafton, and St. Alban's were founded upon a similar origin; and, as the *Times* justly observes, the personal attainments of Colonel Fitzclarence, and the general esteem in which he is held, will doubtless render his elevation a very popular measure.

"It is with great pain, however, we are compelled, for the sake of putting a just value upon the sanction of the *Times* newspaper to the creation in question, to quote from its columns the opinion we find registered there, upon the same subject, on the twenty-first day of December last. We beg attention to it:—

"'The irregular scions of a certain illustrious House are becoming troublesome. We do not wish to be particular: we trust that the young men and women to whom we allude are not so blinded by infatuated conceit as not to take a hint.

"'Is this a time to make claims without service? Is the mere accident of left handed birth to be a ground for honours or wealth? One thing we can confidently predict. If, as it is said, the clamorous progeny have put forth pretensions which ought not to be listened to by the parent who has magnanimously and patriotically refused the appeal, will have acquired a fresh title to public admiration and affection.

"'It is a maxim of the law that the King can do no wrong. What a noble moral, as well as political comment, on this maxim would it be, 'that the King will do no wrong!'

"The little discrepancy which appears between these two opinions upon one point is somewhat curious, and not a little entertaining; but it gains even something more by another reference to the same paper, on the subject of the Whigs, by whom, of course, the grant of the Peerage has been sanctioned if not advised.

"The *Times*—as we once before have taken the liberty of mentioning—has the following observations upon that political body from which the Administration of the country is at present selected—with a reference to them we leave the subject for to-day:—

"'As to the Whigs, we plainly, and in the face of the people of England, deny that the country looks to them as its savours in any great emergency - the experience of nearly fifty years has proved the real character of this party — at once haughty and pusillanimous—rash and short-sighted—noisy democrats when out of place, insolent aristocrats when in—ignorant of the noble qualities of their own countrymen, and timid depreciators of their glory, while they are ever vehement, and ready to applaud and magnify the successes of foreigners. Such are the men whom, we are told, England is to regard with veneration and affection!!!'—Vide *Times* newspaper, August 21, 1831!'

Here we have the King abused, as identified with the Whigs, and otherwise abused in the most imperious and insulting terms.

The *Times* endeavours to get out of the scrape, by saying—

"We find it has been objected to us that we now approve of the accession of Colonel Fitzclarence to the peerage, having formerly treated as an unreasonable and unwise attempt, the supposed application of *all* the brothers and sisters of the Fitzclarence family to the Sovereign for similar marks of his parental attachment. Is there any inconsistency between such approval and such censure? We are very sure that the people of England will be just as inconsistent in that respect as we are."

We, with all deference to vulgar opinion—that is, to the opinion of the great majority—are very sure that the people of England will be *more* "inconsistent in this respect" than the *Times*. And why? because the Ministerial proposal of Reform, and the dissolution of Parliament, have produced a great *political revolution* in this country. Power must reside somewhere. Since the Revolution of 1688, borough-property has been political power. Since the late dissolution of Parliament, political power has passed away from the Boroughmongers, and has been divided between the King and the Nation. William the Fourth has acquired unlimited power as to all that may gratify himself without injuring the Nation. Not the slightest injury would be done to the Nation, if—to use the language of the *Times*—"*all* the brothers and sisters of the Fitzclarence family" were raised to the Peerage. What, then, is to hinder our good King from bestowing peerages on *all* his Majesty's sons and the husbands of his daughters too, supposing the children to desire and the parent willing to bestow such a distinction? Could the late Boroughmongers prevent it;—they are extinct. Would the people prevent it?—they would *rejoice* to see the King do *any thing* agreeable to his Majesty, disagreeable to the late Boroughmongers, and not injurious to the Nation. What, then, is to deter his Majesty from following his own pleasure in this respect?

"Oh! but"—we hear the exclamation from some who do not perceive the great increase of power which the Dissolution has bestowed upon the King—"Oh! but the *Ministers* might object to raising 'all the brothers and sisters of the Fitzclarence family' to the peerage!" And suppose they did. The King might instantly find other *Ministers*, who would make no such objection, and who would nevertheless be extremely popular with the Nation. We doubt the assumption of the *Times*, that "all the brothers and sisters of the Fitzclarence family" desire to be raised to the peerage; but if they have this desire, and if the King wish to gratify it, we are sure that the People of England will be so inconsistent as to promote the measure; if inconsistency it be to love and gratify a King who, being King of England in 1831, is so inconsistent with the timidity and subserviency of his predecessors as to rebel, with his People, against the tyranny of the Boroughmongers, which for a hundred and forty years has been exercised upon both King and People.

The fiction of three equally balanced powers, so long imposed on the people of England as a truth, is exploded. At length we know that the much boasted "Constitutional balance" of Monarchy, Aristocracy, and Democracy, has never existed. Before the Commonwealth, the King was master—under the Commonwealth, the people were master, until Cromwell became a Monarch. During the reigns of Charles the Second and James the Second, there was a scramble for power amongst King, Aristocracy, and People. The Revolution of 1688 was effected by the Aristocracy; and since that epoch they have been masters. The Revolution of 1831 takes power from the Aristocracy, and bestows it upon the King and the People. We repeat, that by dissolving the late Parliament, the King of England has acquired unlimited power in all that may gratify himself without injuring the Nation.

It is a common practice with those who would maintain the delusion of three equally balanced powers, to deride the abortive attempts of the French to establish a "mixed constitution like that of England." "What!" said Sir George Murray the other day to the electors of Perthshire—"what, I would ask, is the cause of the failure on the part of other nations to assimilate their constitutions to that of Great Britain? what is the cause of its failure in France, and of all the attempts which have been making for the last forty years to establish a permanent system of free government in that unhappy country? The cause of these failures, I apprehend to have been that the French have *aimed at a theoretical perfection, instead of being contented with practical utility*."

Supposing that we could agree with Sir George Murray as to the meaning of the terms "free government"—"theoretical perfection"—and "practical utility," we should hold that he had uttered to the electors of Perthshire a truth as important to the whole nation as it must be novel to the parchment-voters who heard it. The French, the Spaniards, the Portuguese, the Sicilians, have all failed in their attempts to establish a constitution similars to ours; but why? Because they imagined that ours was that impossible thing—"a mixed constitution of three equally balanced powers." They sought that which never did and never will exist, except as a "perfect *theory*." They chased a shadow, and of course missed it. Had they been guided by Sir George Murray's notion of "practical utility," they would have established an aristocratic government; and, in order to call it "free government," would have attained their end by means of sham representation. Polignac, though a sad tactician, had a better notion of logic than most of his countrymen. He left his embassy in London, for the purpose of establishing in France such a "free government" of "practical utility" as has raised the debt of Britain to 800,000,000l.; instead of the government of "theoretical perfection" which Louis the Eighteenth gave to the French. According to the views of Sir George Murray, he ought to have succeeded in the attempt: or, at all events, Sir George has not assigned the true cause of his failure. That cause was the hatred of the French to aristocratic government, under whatever name. The adherents, of Louis the Eighteenth might by the aid of the Holy Alliance, have forced upon France a *soi-disant* mixed government of three equally balanced powers, with the "practical utility" of being really an oligarchy veiled by sham representation. It is fortunate for this country and the world that they know so much less than Prince Polignac and Sir George Murray of the science of government.—*Spectator, May* 22.

* See the speech of Mr. Herries to the thirteen electors of Harwich.

WORK FOR THE REFORMED PARLIAMENT.

The Reform Bill is virtually carried. The work of Reform is to begin. We have repeatedly observed that no sensible man has looked at the Great Measure as an end, but as a means. The Bill is of the nature of a machine, and the question is—to what work shall we apply it? We anticipate the answer—Let us apply it first to lighten, by equalizing, the pressure of Taxation. And yet, notwithstanding the importance of the subject, scarcely any one, comparatively, is acquainted with its nature or its details. Every body knows the revenue is between fifty and sixty millions—how few can tell us from what sources it is raised; or what parts of it are merely extracted from the people, and what parts are extracted both mischievously and oppressively! To remedy this want of knowledge, at a time when knowledge will be practically useful, we have applied ourselves to the subject, and we shall next week lay the result before the public in AN ANATOMY OF TAXATION: not as a mere curiosity—though the details will be curious—but with a view to a profitable result. We shall take up the subject as we took up that of Reform, in a practical manner, and with a reference to *facts and figures*. We shall endeavour to show, from those driest, perhaps, but best of aguments, that, immense as our public expenditure is, our resources are fully equal to it; and that, enormous as is the weight which the profusion of an Oligarchy has placed upon us, we require nothing but a more equal distribution of the burden, to bear it—we will even say without much difficulty. So far from Reform being likely to endanger property, it is, we are persuaded, the only measure that could have secured it. The country, we repeat can bear its enormous burden. It would bear it, and prosper, provided the revenues were fairly and judiciously raised. If property, not industry—luxuries, not necessaries—inert, not productive capital—were the sole subjects of taxation, the real relief would be double and treble the nominal amount. Its effects in lowering prices, in extending trade, and employing labour, can scarcely be measured. The saving of expense in collecting would be considerable; the vexatious and injurious restrictions to which commerce is subjected would be altogether removed; even the property hitherto unfairly escaping taxation would benefit by the general prosperity and confidence; whilst, by simplifying the system of taxation, a clear account could be frequently submitted to the public, and the present complicated mode, so fertile in abuses and mismanagement, be altogether destroyed. The manner of effecting these improvements, we shall endeavour to show next week, when we shall submit the result of a laborious dissection of that all but incomprehensible volume the Finance Accounts.

NOTES FOR SPEECHES IN THE DELEGATION PARLIAMENT.

LORD J. R——L.

"Not going to debate the Bill eleven nights more—there it is, unaltered—if any body wishes to talk about it, he's welcome for me, but I shan't reply—'pass it, pass it*'—I've done."

SIR R. P——L.

"Man is the creature of circumstances—the man who cannot change his opinions is a fool—the man who cannot change his conduct without changing his opinions is a rogue—definition of *expediency*—ditto of *necessity*—deprecation of place—paint the joys of private life—he who would sacrifice domestic happiness to ambition is delightful—of *patriotism*, to undergo the labour and anxiety of conducting public service—noble Earl at the head of his Majesty's Government, great man, &c.—the very great alterations in Reform Bill, and altered state of country, remove all my objections—this is not contradictory of what I said on day of prorogation—happy to give humble assistance to his Majesty's Government in making this a *final measure*—abominate wild theories and revolutionary doctrines of members for Middlesex and Bridport—stand up for glorious constitution—hope all sore feelings will be buried in oblivion—let all pull together for public service—the man who suspects me of paltry personal views no patriot—I support the Bill, the whole Bill, and nothing but the Bill."

SIR R. V——N.

"Revolution, robbery, spoliation, confiscation—rob poor man—chop off King's head—glorious constitution—beautiful balance—Ministerial democrats, levellers, jacobins, atheists—French Revolution—altar and throne—*à la lanterne*—pestilent political economists—dictatorial press—dangerous doctrines—*Delegation* Parliament and *National Trustees*—down with Church—down with Lords—down with King—down with Country—confusion—destruction—assassination—reprobation—abomination—contamination—tribulation."

MR. C——FT.

"Approve measure of R form of his Majesty's Ministers, but this outside and final measure - former opposition to Bill because I thought it not final; but since forming part of his Majesty's Government, quite satisfied on that point—deprecate ballot—wild theory- shorter duration of Parliament contrary to constitution no abstract objection to collegues proposal for giving franchise to farm tenants at will, but fearful it might do harm if ballot should follow, though confident British Parliament will never sanction un-English practice of secret voting—am a Whig, always was a Whig, and ever will be a Whig, a whole Whig, and nothing but a Whig."

MR. H——T.

"Am People's member—People not like Bill—People rather have no Reform at all—People like Duke Wellington better than Earl Grey—People not like Chancellor of Exchequer, because think him sly, underhand, crafty, deceptious man—People like better, honest, straightforward, ingenuous member for Tamworth—People love *me*, trust me, think me wise man—I always take right course, because my judgment perfect—member for Kerry not liked by Irish people—Irish people love more memory of late Lord Castlereagh—I travel lately—see distress—tell people Universal Suffrage make bread cheap—People cry *me* for ever—Why not take off duty on Candles? City Corporation great shame—glad Government prosecute Cobbett villanous Emigration projects of member for Northumberland—National Debt national robbery—double duty on stinking tobacco therefore I vote for Bill, though I hate it."

* See "Leading Journal," 2nd March.—ED.

SIR C. W——L.

"Ah!—Oh!—pish!—pooh!—orgrh!—aarrhrr!—Pissst!—hiss-s-s-s-ss!—oughd—bah humph!—hurrmph!—ergo, I vote against the tricoloured, Papist, Swing Ministry."

SIR J. S——TT.

"Mem. Not to speak at all, but to get up, and sit down again, shedding tears so as to excite the pity of my old friends."

MR. A. B——G.

"Am perfectly ready to give up Callington and my half of Thetford, provided Parliament should not disfranchise any other borough. Callington not corrupt; for my last election cost me only 21*l.* 17*s.* 6½*d.* Thetford one of the most independent of boroughs; for they never take money—people say I paid 30,000*l.* for Callington, and 20,000*l.* for half of Thetford—why don't they prove it?—I defy them to *prove* it—I think all boroughs ought to be disfranchised of which the delinquency is PROVED—punish the guilty, but spare the innocent—I'm a decided Reformer—I shall vote against the Bill."

LORD H.——E.

Where's the use of talking about the Bill?—pass it—Ministers want to bring forward several measures of great practical utility—Reform is only a *means*—let us come to the *end*—I want to reform the Colonial system, which is a mass of jobbing, as I have said before—the Chancellor wants to reform his court, which is a nuisance—each Minister wants to reform his own department—our hands must be tied till the Bill shall be law—there has been *talking* enough; let us come to *voting*—question! question!"—*Spectator June* 4.

MR. T——NY—N.

"Mean to vote for Bill as it is—but must say it will have bad effect in some places—at Stamford, Bill will gradually diminish number of voters, and so place remainder more within clutches of a noble Marquis—Ballot would protect voters; but we shall see—*if* the evil, *then* the remedy—pass Bill and try it."

MR. J. B—RH—M.

"Devil of droll state of things—made me M. P.—thought dad had sold Stockbridge to Lord G.—well done, dad! Lord G. paint on one side street, Pimlico, "Stockbridge Terrace;" other side, "Shaftesbury Terrace"—Bill rub out that—well done, Bill!"

MR. S—DL—R.

"Lord of——and Lord of Clumber protect glorious constitution—verily, verily, with God's help throw out Bill—Bill contrary to Scripture—read your Bible—Providence against Bill—dread vengeance of offended Deity—Lord Bacon, Moses St. Paul, Sir Thomas More, Poet Laureate, and all the Bishops, against Bill—Bill curse land with barrenness—fecundity for ever!—see present state of Ireland—inverse ratio—dwell in the land—Devil and Wilmot Horton—down with Bill and parson Malthus—Bill make free trade—fit punishment of guilty nation—gulph of perdition—fire and brimstone—lights burn blue—Good Lord deliver us!"

SIR. J. M—LC—M.

"I able man, great soldier, profound statesman—come from India to help Wellington—little too late, but never mind—I and colleague independent members—our constituents against Bill—Never heard name of Smithson—Ministers wild elephants—King wants tame ones to keep 'em in order—wants *me*—I ready—I great man, soldier, author, traveller, governor, member of Parliament—I every thing—world not go on without me—I—I—I—me—me—me—despise vanity, hate egotism—respect Ellenborough and love Wellington—(sit down amidst loud cheering—J. M.)"

M. G. R. D—WS—N.

"Speak for self and colleague—independent members—reason why, Harwick Ministerial borough, colleague and self support his most sacred Majesty's Ministers——his—most—sacred—Majesty!*——his most sacred Majesty's speech convince colleague and self that Bill good bill; because profound wisdom of most sacred Majesty impossible make mistake—tell honourable Boroughmongers King's speech not Ministers' speech but King's speech; mark that!—greatest man in House of Commons, right hon. friend member for Tamworth, has marked that—right hon. friend, coll., and self, return to service of most sacred Majesty—make sacrifice of joys of private life for sake of King and country—Church not *go*, Lords not *go*, King not *go*, country not *go*†—hon. and learned frend Twiss *gone*;—serve him right—Ministers much improved lately—used to tie papers with blue ribbon instead of red tape, but now use correct stuff and colour—only one thing wanted to make Ministers perfect, more official dignity—ask common fellows to be seated; ought to keep them standing—answer letters same day in own handwriting; ought to keep them from six to twelve weeks, and make clerks answer in smooth official hand, to keep up proper reverence of authorities—right hon. friend, colleague, and self put all that to rights—warn members for Aldborough, Oxford, and Boroughbridge, not to be seditious—most sacred Majestys wont bear it—Boroughmongers' day gone by—Reform for ever!—Bill, whole Bill, and nothing but Bill!—trust learned Attorney General prosecute *Standard* for calling right hon. friend, colleague and self, Peel and Dawson Crew."

MR. F—HF—D.

"Will be heard—honourable members got cold, cough till choke—wont be put down—bad Bill, put down punishment of death—Bank break next day—glorious memory of George the Third—Bank restriction—good old times, hang fifteen men in a row at Old Bailey—hang

* See report of this gentleman's late thirteen electors of *Harwich*.

† See ditto.

wont stop though honourable members suffocate themselves with coughing--hang Bill--stifle Bill --choke Bill- strangle Bill, suspend Bill--throttle Bill -slay bloody Bill--hang *me* if Bill passes."

SIR E. B. S——N.

"I am a Reformer--we're all Reformers now--but bad Bill--have to propose 356 alterations--mean to speak on each one- defy Ministers to abstain from answering my acute objections--debate 365 days--I'am a Reformer."

Mr. H--ME.

"Advise Ministers to make haste and pass Bill --so much delay lead people to suspect Ministers - mind people don't take Reform into own hands--object to every alteration, because destroy present unanimity--why debate any more? who say any thing new on subject--can't speak without saying something said before--*Spectator* began good cry, 'Bill, whole Bill, nothing but Bill'--*Times* gave good advice, 'pass it! pass it!'"

LORD THOMAS CECIL.

A singularly determined, but unsuccessful attempt, has been made by this scion of the house of Exeter, to engage Mr. Charles Tennyson in a duel. In the course of the election contest at Stamford, Mr. Tennyson had expressed himself very warmly on the subject of the wanton attack on the freedom of election, manifested in the ejectments by the Marquis of Exeter, of his tenants at Stamford, for their independent conduct at the contest in July last year. He called Lord Exeter a tyrant- Lord Thomas Cecil thought he added "an execrable man." At the close of the poll Mr. Tennyson took occasion to apologize for the heat which had been displayed during its continuance, in the following very ample and gentlemanlike terms---"I Join with my noble colleague in imploring you to suffer, from this moment, all party feuds to subside; and when the noble Lord makes that appeal to you, I am bound, in justice to him and to my honourable and gallant friend, to admit not only that nothing could have been more fair than the manner in which they have conducted themselves in this contest, but also that nothing on their part could have been more gentlemanlike and inoffensive. I confess that on mine (although the noble Lord has been generous enough not to allude to any thing that I have said), I may have to excuse myself to him and others for some overheated expressions uttered under the excitement of the moment; but I was not fighting here for myself, but for you; and as the noble Lord is again connected with you, I am sure, for your sake, he will forgive me." These words were published in two Stamford papers on the 6th and 10th May. On the 3rd June, however, not the noble person supposed to have been called "an execrable man" as well as a tyrant, but Lord Thomas Cecil, his brother, calls on Mr. Tennyson for an apology to him, Lord Thomas, for the language supposed to have been used concerning Lord Exeter. Mr. Tennyson replied at once by denying that ever he used the term "execrable man," and by enclosing the above extract of his speech. Lord Thomas, in spite of his eagerness to fight another man's battle, could not well withtsand such an answer; and here, in consequence, attempt the first dropped.

On the 30th May, four days before Lord Thomas's first epistle, there was a dinner at Stamford, where Mr. Tennyson, rather contrary to the sentiments of the company, proposed the health of the house of Cecil, in the following terms—"Prosperity to the house of Cecil; and may they, profiting by the lesson they have received, learn to respect the rights of the people!" This toast was not, it seems, seen by Lord Thomas (who has indeed, a knack of not seeing things visible to every body else) until it was reprinted in the *Morning Herald* of the 9th instant. No sooner, however, did he see it, than off went another letter to Mr. Tennyson, calling on him to apologize for it also. Mr. Tennyson replied to this demand of the Cecil champion, as any man of common sense must have known he would:—"Throughout the late contest at Stamford, I had uniformly contended that the Marquis of Exeter, by discharging his tenants on account of the votes they had given in 1830, had 'invaded the rights of the people.' This language corresponds with that of the resolution of the House of Commons, which declares the interference of Peers at elections to be a high infringement of the liberties and privileges of the Commons of England; and I must accordingly consider myself justified in publicly adopting it, however I may regret that your Lordship's feelings were wounded by it on the occasion to which you refer."

It might have been imagined that this would suffice; but then it contained argument, and what has a Tory peerling to do with logic? The consequence of Mr. Tennyson's letter was an unconditional challenge. The following is the first paragraph; and it is worth preserving, both for the courtesy and good sense it evinces—

"SIR—It is a matter of indifference to me whether you attack myself or my family in a public or private capacity. You have made use of expressions *which no gentleman can submit to from another*, rendered more strong and personal by the continued warfare that has existed for the last twelve months, and which I had trusted had been brought to an end *at the close of our late correspondence of the 3d instant*."

Mr. Tennyson applied to Colonel Maberley to arrange the much-desired meeting; and Colonel Maberley, having coolly weighed the [illegible] offence and the demand of reparation, [illegible]unding the urgent entreaties of Colonel [illegible] my Lord Thomas had chosen [illegible] it as his decided opinion— [illegible]out by the approbation of every impartial man in England—that there was nothing in the language of Mr. Tennyson that, according to the strictest code of honour, called either for retraction or satisfaction. My Lord Thomas shakes his head, and looks as wise as his namesake; but he can make nothing more of it.—*Spectator*, *June* 18.

THE RIGHTS OF WOMEN.

We notice, not without pleasure, and as indicating, as decidedly as any of the events that we have of late been called on to commemorate, the extraordinary character of the times in which we live, the speeches of the Ladies Salisbury and Verulam to the Herts Yeomanry, and the still more unusual after-dinner oratorical displays of the Ladies Salisbury. The Reform Bill gives larger power to the men; but if matters progress as these noble ladies have fairly commenced them, we must have a second bill to enlarge the privileges of the gentler as well as the rougher sex.

First for the political displays. In presenting a stand of colours to the South Herts troop, on Friday last, the Marchioness of Salisbury spoke as follows.

„Gentlemen—In addressing you on the present occasion, I cannot but congratulate you and the country upon the zeal and alacrity with which you have answered the call of your King, to enrol yourselves in the respectable corp I now see assembled. It was impossible to witness without regret, a few years since, the reduction of that consitutional force of yeomanry, the imposing aspect of which mainly contributed in times of the utmost need to preserve this country from the ravages of that long and bloody war which desolated surrounding nations. I hail with the sincerest pleasure the re-establishment of this force. I hail the proof, if proof could be wanting, that the yeomanry of England feel the gratitude they owe to those free institutions under which they have lived and flourished, and by which this country is so proudly distinguished. To us women few opportunities are afforded of evincing our affection for our country. I therefore gladly avail myself of this to express my sentiments, in presenting to you your standards, as a testimony of admiration of your zeal. To recommend to Englishmen to guard them well, would be an insult. I present them to you [here her Ladyship presented the standards] in the fullest confidence that you will never disgrace them; that if you are called upon to follow them in repelling the aggressions of a foreign enemy, it willbe to victory and glory; and that should you be required, as unfortunately has been the case in many countries, to protect your families and your properties against the disturbers of the public tranquillity at home, you will discharge that painful duty with alacrity, and ever bear in mind that by such conduct you will merit the appobation of your country and your King."

Lady Verulam's address to the Cashio troop, on Monday, was briefer and pithier.

"Gentlemen," said her Ladyship, "I fell much pleasure in presenting to you this colour, and more especially as you have done my son (Lord Grimston) the honour of choosing him for your. commander. I do not expect that in these times of promised peace you will have to settle the broils of nations on British ground; but we *have other and nearer dangers to avert in the restless and innovating spirit of the times*; it is from the miseries that may be produced by this that we look for your protection. Gentlemen, it is the characteristic of a British yeoman to be brave and loyal. Under these impressions, I place this colour in your hands; persuaded, that for your own, your families,' and your country's sake you will keep it unsullied by dishonour."

Why did not Lord Thomas Cecil get his mother or sister to manage his correspondence. These three Tory ladies have more wit and spirit than a score of lumpish Tory lords. We hope a motion will be made on Tuesday to allow them to hold proxies.

After the presenting of the colours to the South Hert troops, a repast was given at Hatfield House, to the gallant troopers. The health of the Marchioness of Salisbury being drunk with three times three, her Ladyship returned thanks, in the following neat and appropriate speech.

"I beg to return you my best thanks for the very flattering and gratifying manner in which you have drunk my health. I trust that as I am so little accustomed to speak in public in this unpremeditated manner, you will excuse my saying more than that I am your sincere well-wisher and beg to drink all your healths in return."

The health of the Marchioness Dowager was afterwards drunk with equal enthusiasm. She also replied to the compliment by a speech.

"Gentlemen," said her Ladyship, "I beg to offer my most sincere thanks for the honour you do me in drinking my health upon this gratifying occasion. I always recollect with satisfaction and gratitude the many proofs of kindness and friendship which I have received from this country, and those feelings I shall retain to my dying day."

There was a colour-giving scene in Bucks on Tuesday last week; and the Duke of Buckingham spoke on the occasion, but his Grace's oratory will not bear reporting after that of the brave dames, his precursors.—*Spectator*, *June* 18.

THE PRESS AND THE COURT OF KING'S BENCH.

On Saturday, June 11th, the second day after the rule against the *Spectator*, at the instance of the Duke of Beaufort, was made absolute, the Court refused to make absolute the rule for a criminal information which had been granted for the following alleged libel in the *Satirist*, weekly newspaper, on Messrs. Headland and Cork.

"It is absurd to class an attorney who advises his clients to an act of criminality in the rank of respectability. Supposing, therefore, a being to be found, base enough to swear to a debt which is not due to him, and which the attorney knows at the time the affidavit is made is not owing. Suppose also, that attorney to be aware that a *false* abode, description, and addition, are given and sworn to, for the obvious purpose of escaping detection, can the attorney be less culpable than the wretch who thus commits himself by a double act of infamy? We say, no; the moral offence is the same, and the men are upon a par in point of deliquency.

"Now, if Messrs. Headland and Cork, of Millman Street, or any other respectable men, were accused of such an act, the accusers would be said to be guilty of a libel. We do not accuse them of such an heinous offence; but we put it to those individuals, by way of argument, whether, if they had such a client so debased,—so lost as not to pause at the commission of perjury,—those *highly respectable* gentlemen would not interpose to prevent him doing it? Assuredly they would; those gentlemen are too *honourable*, possessed of too much *integrity*, to countenance an offence of such atrocity. But yet we know, and have the documents before us to prove, that such a base knave does exist—that he was countenanced by an, attorney; but we may say again, the attorneys cannot be supposed to be the individuals we have alluded to. Oh no! those persons are so *respectable*, we say again, so *honest*, possessed of such *unquestionable integrity*, that it would be false, wicked, and malicious, to attribute an act of this kind to such men, men so *honourable*, and *so just in all their dealings*."—*Times*, Monday, July 13.

The decision of the Court in favour of the *Satirist* was given in the following words, also quoted from the *Times*.

"Lord Tenderden said, he hoped that by discharging the rule the Court would not be considered as countenancing libels, or as deciding upon the guilt or innocence of any of the parties. They discharged it solely on the ground *that the applicants were not entirely blameless in the transaction referred to*, they having been aware that their client had failed to perform the conditions upon the due performance of which alone he could become entitled to the sum for which the other party had been arrested.—Rule discharged."

In this case, the alleged libel charges the complainants with advising their client to commit perjury. They do not fully rebut the charge; *therefore* the Court refuses to *lend its extraordinary power* to them, but leaves them to deal with the *Satirist* either through a grand jury or by civil action. In the case of the *Spectator*, the complainant is charged with —absolutely nothing. *therefore* the Court does lend its extraordinary power to the complainant.

But it may be said—"Though the present Duke of Beaufort was charged with nothing, there was a reflection on the late Duke in respect to his will, and on members of the family in respect to the large amount of public money received by them. The Court might not choose to distinguish between the present and the late Duke, or between the complainant and those members of his family, some of whom are dead, and none of whom have complained. The question is—did the complainant show that his father and relations had been *perfectly blameless in the transaction referred to*? If they did, then the Court might, according to the principle set forth in the case of the *Satirist*, make the rule absolute; if they did not, the same principal demanded that the rule against the *Spectator* should be discharged.

Now, what was the answer of the complainant in our case?

First, as to the will, we stated (if an incidental allusion to a common story may be called a statement) that the late Duke of Beaufort's will "charged the estates of the present Duke with annuities to his brothers until they should be better provided for by Government."

The answer was, that the late Duke of Beaufort's will provided

. . . "That if any of the younger sons of the late Duke should at any time afterwards obtain preferment in the Church to the amount of 600*l*. per annum, then the yearly sum of 600*l*. therein before provided for each such son, should cease; and the will provided that the said yearly sum of 600*l*. should decrease in the same proportion as their respective annual incomes by preferment in the Church, until the annual income arising from such preferment should be equal to, or exceed the sum of 600*l*. and the late Duke recommended the guardians of his younger sons to bring up two of them to the Church; and he recommended to his sons the Marquis of Worcester, or the person or persons for the time being entitled thereto, to present his said younger sons, who should be duly qualified, to his livings of Langattock, Brickhowell, and Cromduy, in the county of Crecon; Mitchell Froy and Cromcarvan, in the county of Monmouth: and Dedmartin, Oldbury and Tormarton, in the county of Gloucester; in such manner and proportions as he or they might find most prudent and convenient."

We charged a perfectly innocent provision: the answer admits, or rather sets forth, a *simoniacal* provision; and the complainant goes on to say, that, to prevent any question, he and his son have nullified that clause of the will, by entering into a bond for the regular payment of the annuity, which the will ordered not to be paid.

This, considering that nothing blameable was charged, is an odd way of showing that "the complainant *was entirely blameless in the transaction referred to*."

The second statement was, that the Somerset *family* had received, since the late Duke of Beaufort came of age, an amount of public money exceeding the value of the estates bequeathed by the late to the present Duke. To this alleged charge, the answer of the complainant is—

"That he never received one sixpence of the public money; and that not one of his brothers, or any of his family, have ever had any sinecures or pensions of any sort or description from the Government, save what his Grace's brother, Lord Fitzroy Somerset, receives in respect of the loss of an arm in the battle of Waterloo,—being the same as is received by any other officer under the same circumstances, who has lost a limb in the service of his country; and that neither his late father since he came of age, nor any of his father's sons, to his knowledge, did ever receive any of the public money, except for pay as officers in the army, or salary during actual service to the public, and except the pension so received by Lord Fitzroy Somerset; and that the whole of the sums together so received by all the members of his late father's family would, as his Grace believed, not much exceed the amount of one year's income of his paternal estates."

Here, again, we ask, supposing that what we said charged some thing criminal, did the complainant show that he was "*entirely blameless in the transaction referred to*."

The accusation, if such it were, was not denied. It was cautiously avaded, by the use of the words "pensions and "sinecures," which we never used, and the substitution of the words "*paternal* estates," for the words "the estates which he *bequeathed* to the present Duke." Yet the Court lent its power to the noble complainant, forty-eight hours before it discharged a rule against the *Satirist* on the ground that the complainants had not shown themselves "*entirely blameless in the transaction referred to*."

Lord TENTERDEN, on deciding against us, says that,

"Acting upon those rules which had been adopted by their predecessors, and followed by themselves, in a variety of cases, he thought that the Court could not do otherwise than make the rule absolute. He had no difficulty in saying, that, connecting the paragraph with what went before it, the comment appeared to contain matter of strong imputation against the Duke of Beaufort and his family."

Our readers will compare the two cases and the two decisions thus laid before them in juxtaposition,—not failing, we trust, to observe the personal but injurious character of one alleged libel, and the innocent but politial character of the other. If we had room, we should still be afraid to state fully our own opinion of the decisions in favour of the *Satirist* and against the *Spectator*. Although, however, in fear of the Judge who could make those two decisions within forty-eight hours, we are bound to say, that, if both decisions be right, the slanderous press is licensed, and the political press is not free. Surely the difference ought to be exactly the other way. *It will be so when the Parliament is reformed*.

Since the above remarks were written, we have read in the *Morning Post*, that Sir James Scarlett and Lord Tenterden attended a party political dinner, at Merchant Tailors' Hall, on Saturday last; when the following violent declaration against Reform and the Reformers was uttered by Lord Eldon, and echoed in the words which we also give below, by the Chief Judge of the Court of King's Bench.

From Lord Eldon's Speech, as reported by the Morning Post—"The School and the College connected with it were properly to be considered as among the ancient institutions of the country of which they, and such as them, were not the least valuable. He trusted they were not doomed to fall beneath the daring and reckless hand of modern innovation. For himself he did not hesitate to say, that he was so well convinced of the value of *all the ancient institutions of the country taken collectively, that he would rather lay down his life upon the scaffold to-morrow morning than be a party to any measure which threatened their subversion*. In alluding to the dangers which now hung over the country and *all its institutions*, he could not forget that they were in the very place in which the first grand and effective stand had been made against the destructive principles of revolutionary France. It was in this Hall that, in the early days of the French Revolution, a body of loyal, and constitutional, and patriotic men assembled, and under the auspices of a name to which England owes a lasting debt of gratitude, stemmed by their influence and authority the torrent of disorganizing and revolutionary opinions which then, *as now, threatened to subvert the foundations of public order, and of national happiness and prosperity*. By recollecting how the dangers which formerly threatened them had been averted, they might learn to meet, to struggle against, and, he trusted, to overcome, the dangers which impended over the country at the present moment. As to those who imagined that they might overthrow some of the ancient institutions of a country like this, and yet leave the rest in a state of undiminished security, he should only say, "God forgive them, for they know not what they do."

From Lord Tenterden's Speech, as reported by the Morning Post."—*In the principles which had been so ably expressed* by the Noble Earl who filled for many years the highest judicial seat in this country, *he entirely concurred*, and by those principles he should constantly be guided."—*Spectator*, *June* 18.

CHOLERA.

THIS disease has made its appearance at Riga, where it has proved byond example fatal. Out of 707 cases, there are reported 417 deaths. The deaths have commonly occurred within twenty-four hours of the attack. A disease

which performs its task so expeditiously, does not admit of being paltered with. While the doctor deliberates, the patient dies. One of the modes of cure recommended, is to cover the sufferer with hemp-seed that has been steeped in boiling water. The object of this singular cataplasm is to produce perspiration; in which, if it succeed, the disease may be looked on as vanquished. Hemp-seed is probaby selected at Riga as the material most easily come at. We do not know that it posseses any peculiar virtue, except that it may retain heat somewhat longer than linen or cotton cloths. We should imagine that the steam-bath would be better than any of these applications. Other accounts describe brandy and laudanum as specifics. Sir Anthony Carlisle has addressed a letter to the Lord Chancellor on the subject, in which, on the faith of Dr. Ainslie, author of the *Materia Indica*, he recommends superoxygenated air and doses of ammonia as stimulants. Sir Anthony's letter shows pretty clearly that he has forgotten his English, but not so clearly that he has learnede much about cholera. We have not seen, in the cours of many years' reading, a document in which sound sense predominated more and meaning less than Sir Anthony's appeal to the "penetrating mind" of the Lord Chancellor.

A good deal of discussion has taken place respecting the quarantine which the Government has seen fit to institute. We adhere to our opinion, that a quarantine on rags and skins is most absurd. If there be danger of a disease of very great malignity being introduced among us, the proper preventive is, to compell all vessels, whatever be their cargo (they all carry human beings, the grand medium of infection in every disease), to perform quarantine, provided they come from or have touched at an infected port. This is the rule with respect to the Mediterranean trade and the plague, and ought to be the rule with respect to the Baltic trade and a more deadly disease than the plague. The Times has put in a saving clause in favour of steam-boats. If they be detained, it seems that the capital vested in that shape will be destroyed, because they carry nothing but passengers. It is not correct to say that steam-boats carry nothing but passengers. They carry a host of parcels of all kinds and sizes; and they carry, of course, a large quantity of luggage. Is a shirt not considered as good a conductor of poison when whole as when torn? Is the hide of a cow no longer capable of communicating infection when nailed on a trunk? If the clothes that envelope the passengers be dangerous, are not the passengers doubly so? Is the morbific matter less concentrated in the fountain than in the stream in the skin that generates, than in the doublet that receives it? A cunning gentleman, in the Times of yesterday---who holds, we don't not, a stock of hemp and flax--proposes that all Baltic hemp and flax should be prohibited for the next six months on the ground that the pulse of a bale cannot be felt like the pulse of its owner. This it quite as reasonable a proposal as any of the rest. In fact, the whole of our precautions are, we believe, uncalled for and useless; uncalled for, because there is not a particle of evidence to show that cholera ever was communicated by goods carried from one town to another; useless, because, if the providence of Heaven see fit to send us the fitting weather, we shall have cholera more or less violent, if every port in the kingdom were hermetically sealed against foreign produce, dead and living, brute and rational. But if the Government will have it otherwise, and if the public will have it otherwise, let the the precautions against infection be such as bid fair, if there be contagion, to keep it from our shores. Don't let us have recourse to half measures, which produce great inconvenience, and at the same time offer no security. Let the ordinary quarantine regulations, in respect to vessels from the Baltic, be strictly enforced, whatever be the freight; and, above all things, let them be enforced against the crews and passengers of Baltic vessels, as rigidly as against the rags that they bring with them.—*Spectator, June* 18.

CHARITY BEGINS AT HOME.

NOTHING is more remarkable in the Parliamentary document just published respecting the Irish Church, and the promotions that have taken place in it since 1812, than the great number of fortunate incumbents, in every diocese, that bears the same name as the Bishop. Take for instance, Derry—in this diocese the following promotions have occurred since 1812; the see, during that time, having been held by a KNOX.

J. S. Knox....June, 1813..Rectory, Fahan, 360*l.*
Hon. C. Knox..August, 1813. Ditto, Urney, 700*l.*
W. Knox.....June 1814.....Dito, Upper, Brandony. 397*l.*
Hon. E. Knox. June, 1814...Ditio, Tamlught O'Crilly,—
J. S. Knox.... Jnne, 1814..Ditto, Magheras and Kilnonaghan, 1.365*l.*
W. Knox .... April, 1814...Ditto, Fahan, Exchange, 360*l.*
William Knox..September, 1814 Ditto, Tamlaghtard 425*l.*
William Knox..August, 1821...Ditto, Clonleigh, 840*l.*
William Knox..October, 1822. Ditto, Bilinasscreen, 623
E. J, Knox....June, 1830.... Ditto, Killoun, 160*l.*

Not allowing for the rectory not returned, nor reckoning on 3,555 acres of land attached to four of the rectories, nor on the lands attached to the bishopric, here are five individuals of a family who are in the receipt of 15,000*l.* per annum from promotions within the last eighteen years—it is not said what they had before. In Raphoe and Dublin which have been successively blest with a Magee—John Magee has a rectory, vicarage, and a prebend; W. Magee has a vicarage; T. P. Magee has two rectories, two vicarages, three prebendships, a curacy, and an archdeacony! Waterford is watched by a Bourke; and an Honourable George Bourke has three prebendships, two vicarages, one precentorship, and six rectories! There is also a Joseph Bourke, who has a chantorship, a sort of prelude, doubtless, to better things. In Cork, three St. Lawrence's divide among them six vicarages and six rectories, besides numerous other offices too tedious to mention. In the diocese of Ross, attached to Cork, there have been ten promotions of St. Lawrences since 1813. The knights of the gridiron are prosperous gentlemen. In Kildare, C. Lindsay (the Bishop's name is Lindsay) has received within the last five years a prebend, a rectory, a vicarage, a second canonry, an archdeaconry, and a canonry! In Ossory, a Luke Fowler holds a prebend, four rectories, and six vicarages! a most notable shot. In Ferns, H. P. Elrington has a prebend a precentorship, two rectories, and six vicarages. The Bishop of Ferns is a mighty enemy to the Catholics, and has written a number of nice books to prove the value of the Irish Episcopal Church. The Beresfords of course cut a most formidable figure in the return. They give to the Church an archbishop and a bishop and they occupy no fewer than fourteen livings, of which the value of four is returned as amounting to 1,860*l.*, and having attached to them 65,000 acres of land!—*Spectator, June* 18.

EDUCATION.

A magnificent scheme is at this moment in operation in France, to afford the means of useful and improving reading to the whole body of the working population of France, by placing a public library in every one of the 40,000 *communes* (or parishes) into which the kingdom is divided,

Unlike similar national institutions—which have hitherto much to its credit, been the work of Government—the plan is to be accomplished by individual philanthropy. A capital is to be created by subscription, divided in shares of the moderate sum of fifteen francs (or 12s). Each library is to consist, at the commencement, of 200 volumes, printed expressly for the society, of dimensions, and upon a paper, such that the collection, with illustrative maps and plates, may cost only 300 francs (or 12*l.*) Thus, twenty shares suffice to purchase a library. One person may subscribe for any number of shares; and as the society may not be completed to its full extent at first, the holder or holders of twenty shares have the right to nominate a *commune*, which shall, in the first instance, have the right conferred on it. The books are to consist of the best elementary works on the arts, sciences, and literature, history, biography, poetry, and other subjects, selected by a committee at Paris, by whom the affairs of the institution are to be conducted, under responsibility to the subscribers. Quarterly meetings are to be held, and reports of proceedings to be furnished. Donations of books, maps, and similar objects, will, of course, be received by the separate establishments. The other details of management and arrangement, as explained in a prospectus now before us, seem judicious: and upon that liberality of feeling to the lower orders of the community, which does so much honour to our Gallic neighbours, in all their public undertakings.

EDUCATION IN AUSTRALIA.—Some influential inhabitants of Sydney, have sent to this country, the Rev. Dr. Lang, with powers to make arrangements with the government, for the foundation of a college there. The progress of our Australian colonies has been such, as to ensure prosperity to such an undertaking. The sum first required is 7000*l.* Government has engaged to advance half that amount as a loan, immediately that the colonists have made good the remainder. This has in fact been done—four gentlemen have been engaged to conduct different classes. The first classes, put in operation will be, probably, a language class, in which the Latin and Greek languages will be taught; a class of practical mathematics, embracing writing and arithmetic; a class of geometry and experimental philosophy; a class of English literature or *belles lettres;* and to these will be added a class of mental philosophy. Mr. Carmichael, a gentleman of very high qualifications, has undertaken to make preparations for this last, and most important class, conjointly with the language classes, for which he is engaged. He has left London last week. To ensure a supply of students with he preliminary qualifications for the collegiate course, it is the intention of the professors to establish subsidiary schools, at Sydney, from infant schools upwards; to be conducted by competent teachers, trained in the improved modes of teaching. The institution of the college promises to confer great advantages to that part of the world; since the time and expense of a voyage to Europe would render an European education unattainable for the children of even the opulent colonists. The fine climate, and the more convenient distance of Sydney from India, will probably render the college very eligible for the education of the children of British subjects in that part of the globe.—*Examiner, May* 22.

DON PEDRO.

The *Volage*, 28, Capt. the Right Hon. Lord Colchester, arrived on Monday, having landed her illustrious passengers (whose arrival at Falmouth we announced last week) at Cherbourg on Friday after-noon. Immediately on the arrival of the *Volage* in that port, intimation was given to the Authorities that the Ex-Emperor of Brazil and his family and Suite craved an asylum in France. Permission having instantly been given them to land, the Prefect vacated his Palace for the use of the passengers, who were provided by the Sub-Prefect with every requisite, at the cost of the French Government. The *Volage* manned yards and fired a Royal salute on their landing, and the same compliment was paid by the French from their batteries, and by a military force of 600 men. At the Hotel of the Prefect, a guard of honour was in attendance. The French Authorities, and the most respectable of the neighbourhood, with Lord Colchester and the First Lieutenant and Purser of the *Volage*, attended the Ex-Emperor's Levee, to congratulate him on his safe landing. Don Pedro despatched one of his Chamberlains to Brest, to meet the Queen of Portugal (who will be landed there from the *Seine*, French frigate), and escort her to Caen, at which place Don Pedro and his Empress and Suite would join her, and then proceed to Paris. The Emperor, on his voyage in the *Volage* to Europe, expressed hopes that he should never more be troubled with the cares of Royalty. He is, however, most anxious that his daughter, Donna Maria, should obtain her rights, and enjoy the dignity of Queen of Portugal; and to attain this end, he will address a Circular to all the European Courts, calling upon them for assistance. He speaks in terms of the warmest satisfaction at the attention shewn him on his passage in the *Volage*, to testify which he presented Lord Colchester with a valuable diamond ring, to which the Empress added a gold snuff box. Magnificent gold snuff boxes were also presented to Lieuts. Hubbard, Clare, and Blair; Lieut. Miller, R. M.; Mr. Dean, Purser; Mr. Barr, Surgeon, Mr. Taylor, Master; and Mr. V. A. Massingbird, the Senior Master's Mate; with permission to have engraved on each the Royal Brazilian Arms. This permission, with Don Pedro's sign manual attached, expresses that the gift is a mark of his esteem and gratitude, for the hospitality and kindness shewn to himself, his Empress, and his Suite, while on board the *Volage*. The Officers of that ship speak in high terms of the character and demeanour of these illustrious personages. A sum of money was also distributed to the Petty Officers and seamen. The Ex-Emperor said, he wished to have it in his power to visit England next year. The *Volage* left Cherbourg on Sunday.---*Hamp. Tel. June* 20.

FROM THE ASIATIC JOURNAL FOR JUNE, 1831.

LAW.- PRIVY COUNCIL, MAY 21.

Luximon Row Sadasew appellant, *Mullar Row Bajee*, respondent.—This was an appeal from certain judgements pronounced by the authorities of Bombay, in the exercise of their judicial functions, in a suit, which has been long pending in the provinces.

The appellant and respondent belong to the family of Mankeswar, Brahmins of high caste, of Tenboorney, in the Deccan. Mankopunt, a member of the family, and common ancestor of the parties, died about A. D. 1770, leaving three sons, of whom Sadasew, whose property is the subject of dispute, was the second, and Bajee Row, the late father of the respondent, was the third. Mankopunt held various hereditary offices, which descended together with his property, according to the Hindoo law, to his three sons who continued to live as an undivided family, as a joint inheritance. About two years after Mankopunt's death, Sadasew removed to Poonah, and attained the title of Bhow, became minister to the Peishwa, and amassed a large fortune. Notwithstanding this advancement, the brother still lived in common, and no division of the paternal property was ever made.

Bajee Row, the youngest of the three brothers, died in 1795, leaving the respondent, then an infant, his only son, who succeeded to the rights of his father, and lived with Sadasew, who had no child. Sadasew died in 1817, intestate, having, as the appellant alleged, adopted him as his son and heir. The appellant was a near relative through another branch of the Mankeswar family. The first brother still survived.

The respondent, after the death of Sadasew, disputed the validity of the appellant's adoption, and claimed the property of Sadasew, as his nephew and heir; and if the adoptions were valid, he claimed, in right of his father, Bajee, a distributive share of the property, upon the ground that no formal division of the paternal property had ever taken place since the death of Mankopunt; consequently, that the property of each of the brothers, as well as the original property, formed a common stock. The claim was resisted by the appellant, who considered himself entitled to the whole of Sadasew's property, as his adopted son and heir.

By consent of the parties, the question was in 1819, submitted to a punchayet; but this tribunal, after great delay, came to no decision. Agreeably to the practice in the Deccan, that doubtful questions of Hindoo law should be referred to the principal shastrees, or jurisconsults, Mr. Commissioner Chaplin, pursued this course. The punchayet being still unable to come to a decision, the parties, by advice of the commissioner, submitted the question to the arbitration of Captain Robertson, collector and magistrate at Poonah, and his assistant, Mr. Lumsden, who were to decide the suit, with reference to the proceedings before the punchayet, and the legal opinions of the shastrees. The submission of the parties was formal and in writing.

The umpires decided that there had been no effectual legal division of the property of Mankopunt; nor of the late Bhow and his brothers; that there was no property acquired by them not subject to the general law of division of the common goods; that the appellant was the heir of the late Bhow Sadasew, being regularly adopted as his son, and therefore entitled to share equally with the rest of the family in the joint property.

From this award, the appellant appealed to the Governor in Council of Bombay, in 1821, alleging, amongst other objections, that the submission of the award on the part of the appellant, he being a minor, only eleven years of age, did not bind him; that the doctrine upon which the award was made, namely, that acquired property to any extent is subject to division; if the person who acquired it had any of the paternal property in his hands, is not known to the Hindu law, which applies only to profits and gains from the employment of the paternal property; and that there was no paternal property in this case, as Mankopunt came to Poona a beggar. He argued, also, that by the Hindu law, wealth acquired by learning, gift, dowry or military powers, are specifically exempted from partition; and much of the late Bhow's property, must have been derived from gifts from the Peishwa.

The Governor in Council dismissed the appeal with costs: the Governor (Mr. Elphinstone observing, in his minute, that by the Mahratta rules in the Deccan, and by the regulations of the old districts, an award can be set aside only on proof of gross error or corruption; that the latter was not insinuated, and so far from any gross error appearing, the decision appeared to him in perfect conformity with the Hindu law.

From this decree the appellant appealed to the King in Council, on the grounds that no part of the fortune of the Bhow was acquired by the aid of the paternal funds; the question proposed to the shastrees and the punchayet did not raise the real question at issue, namely the succession to the property of the Bhow acquired after leaving the place of his nativity; that the award and decree proceeded upon an entire misapprehension of the Hindu law; and that the Hindu law makes no distinction between a real son and an adopted son, who, it is expressly declared, succeeds to the whole property acquired by the personal exertions of his father.

After two day's argument, their lordships gave judgment.

The *Lord Chancellor*.—Their Lordships having taken this case into their full consideration, do not see any ground upon which they can reverse or interfere with the decision come to below. They desire it, however, to be distinctly understood, on account of the importance of the question, if it had ever been raised, which it does not appear to have been, with respect to the general principle of adoption, and the consequences following from that principle, that they give no opinion whatever in the slightest degree interfering with the acknowledged principles of the Hindu law, as regards that relationship.

There is a passage in a letter to the Chief Secretary from Mr. Chaplin, dated Poonah, April the 11th, 1821, which looks as if he, in an untechnical and somewhat popular view of the merits of the decision which is then discussing, had taken into his consideration the circumstance of the party having stood in the relation merely of an adopted son, and not being a lineal descendant of the deceased. Bhow Mankeswar. He says: "It must be considered, that he is merely an adopted son, and not the lineal descendant of the deceased Bhow, and that his own immediate ancestor contributed in no respect to the acquisition of the property."

The relationship of adopted, the rights belonging to that relationship when established, and the law that gives the right to the adopted son independent of his being a stranger in blood, and independent of the fact of his own ancestor having had no share in the acquisition of the property, are by no means touched by the decision that Mr. Mountstuart Elphinstone came to, that is now appealed from, and which alone is affirmed by their Lordships present decision.

The grounds upon which Mr. Elphinstone appears to have come to his decision, are, that the proof lies upon the party seeking to accept any property from that principle of partition known to the Hindu law, and that the appellant, not having sufficiently proved that, it is unnecessary to go further; that he not having brought forward proof that this property is within those exceptions, the general rule of partition must prevail.

It appears from a case thrown out in the course of the argument, that the exceptions themselves form a sufficient ground for assuming that the proof is upon the party who would seek to bring himself within it:—they are very minute in their conditions, and in one instance, that inference appears to be furnished by the rules of the Court: restoring property to the operation of the principle after it shall have been brought within the exceptions. For instance; learning is one of the undeniable exceptions, and if that shall be proved it brings the property within the exception; but it is added, if it shall be shewn there was equal learning possessed by the other parts of the family, that gives them a claim to it, notwithstanding the circumstance of its being brought within the exception. So that, here one proof brings it within the rule, and another throws it back, notwithstanding the exception. This is one illustration, among many others, which might be given. I mentioned another, in the course of the argument, as to the clothes of a party incapacitated by nature or by [illegible] from procreating children, which the Hindu law to be excepted, the details shew that the proof lies upon the party seeking to bring it [illegible]

Now it appears here very doubtful in what way, and indeed there is no evidence in what way, this man—though we may suspect it from what is stated,—there is no proof in the cause that shews how this property was acquired; but it is perfectly clear, as it appears to their Lordships, that there was some family property, in which the Bhow shared, although not large, and that property was never abandoned, but taken to by the Bhow, who was enjoying the more splendid fortune of the Durbar at Poonah; and he left his brother, it appears by the correspondence between him and Bajee Row Mankeswar, in some sort of charge of the property, and always appeared to take an interest in it, and to report respecting the management of it, though his agent complains of not having received any orders from the Bhow. His brother says, when he was getting ready to proceed to the appointment which had been provided from him, 'you have quite suddenly provided this for me, as for six years you have merely employed me in the charge of the fields &c. at home;" and there are other letters from Row Mankeswar, which show that the Bhow was still connected with the property. It cannot, therefore be said there is no property, though it is very small; nor can it be said he gave it up; he maintains a more immediate connexion with it than would be supposed natural to a man placed in a much higher situation, and separated from it by local circumstances.

Upon the whole, viewing this as a question of Hindu law, upon which it is impossible to speak with any great confidence, and the question appearing to their Lordships to be decided upon right grounds, throwing the proof upon the right party, and that proof not being given, it is the opinion of their Lordships that this decree, appealed from, must be affirmed.

With respect to the costs, we take for granted that the respondent, in a large property of this kind, will make no application for costs, and it would not be an unfit thing,—I do not know the court below have done,---to suggest would be proper that the costs of the proceedings should be paid out of th It is a very large property.

NOTICES OF NEW WORKS.

OLONEL NAPIERS' History of the Peninsular War. Vol. III.

NAPIER'S History of the Peninsular War is an admirable production; and at a stroke levels all others before it. None can compete with it, the shadow of a chance; and Southey's er, especially, may now be laid up in ordi-. Napier is a soldier and a scholar; he shared e conflict, and has himself seen much that he describes---he has a personal acintance with the whole theatre of action he has measured the resources of both invaer and invaded---has been entrusted with communications from leading personages of all parties; and happily possesses tact and judgment, professionally, to estimate purpose, plan, and execution. With equal ease and precisi n he grasps a general principle, and seizes the smallest detail; and with equal *gout* relishes a moral as well as a military argument---a measure of politics, or a manœuvre of tactics. His fine manly spirit carries him safely and firmly over the most slippery ground; and though leaning to the critical, and, of course, occasionally churlish, he can praise and liberally too; but it must be well deserved, before he confers it. His toil and his efforts are spent wholly in the search and ascertainment of facts: to report them presents to him no difficulty whatever; for whether they tell for or against the dread or the living, reat or the small, at home or abroad, is a of no importance at all---it forms no his consideration, and he risks with rence even the hazard of personal reent. His tone is that perfectly of a who has no contemporaries; he thinks othing but exhibiting his facts, and en- his own convictions. The settled of his soul is, not merely to detail the n of events, that anybody might have as many have done, and well-done: but ce, as they occur, their causes, and weigh consequences---to balance probabilities, and compare resources with effects---to take into view collateral influences, as well as direct impulses---to discuss men as well as easures---the motives of those who command, and the talents of those who execute---to expose the sources of failure, as well as of success ---to tell, in short, the whole story of the war, with the thousand whys and wherefores, that protracted a struggle, which the insurrection of an universal people promised to terminate in six months---to as many years.

Spain had a population of ten or twelve millions---uniform, with the exception of a few nobles, and passionate in their hatred of the French. Why did not she repel at once an invading and insulting enemy? Portugal, with scarcely three millions, was thrice overrun by overwhelming forces, yet threw them off her soil again---sufferred less than Spain, and was in all respects, more efficient in the war, than her more powerful neighbour---how was this? England entered heart and soul into the contest---she had money or, what *then* came to the same thing, credit at command; and was ready to employ it all in aiding the Spaniards---why was her *assistance* thrown away, nd nothing done but what she did herself? y were her commanders, confessedly brave skilful, when they might have had a hunthousand troops, never entrusted with an forty? and how was it, at last, that ignificant a force, they drove the em, and cleared the country

These are questions which involve every point of interest in the war; and they are such as Colonel Napier's work answers distinctly, boldly, and satisfactorily. If ever man had the means he has. His materials were abundant; he has had access to private papers, and communion with those who were nearest the gods; his own experience is considerable; his judgment is sound; and he has a tongue to express its dictates, and a spirit to abide by them. He searches and shifts with indefatigable diligence; and discloses as fearlessly as he pronounces strongly and sternly. He has, what will be called, his bias, or his partiality; he detests, for instance, the Spaniards; but it is for insolence, inertness, want of cordial co-operation with their allies. It is unfair to call that prejudice, which is the result of research; not a principle taken up at random, or in heat, but a cool conclusion forced upon his conviction by dint of irresistible evidence. He tells his tale consecutively, and sometimes anticipates his testimony; but he has examined the whole before he wrote a word; and he has so often made good his particular opinions, that we have the most perfect reliance, the strength of his facts will finally support his general sentiments. Napoleon is, in his eyes, he first of human beings for vigor, for sagacity, for solidity of talent: Wellington the next; and occasionally, Wellington balances the scale. Had Napoleon been at liberty to concentrate his efforts upon Spain, and carry his own views, in his own person, into effect, a few months would have swept the Peninsula of every English soldier that was ever in it; but he had enemies in the north, as well as in the south; and, during the Spanish war, sort half a million of men, who had never crossed the Pyrenees. On the other hand, had Wellington been furnished by the grudging cabinet of England with larger forces, or been zealously backed by the jealous Spaniards, he would have seized upon the opportunities presented by the divisions of the French marshals, and closed the gates of Spain upon their master long before he did. But war is not a conjectural art---'Fortune rules in war,' is the sentiment of Colonel Napier; and of Tacitus before him: the finest combinations are baffled by occurrences too delicate to be discerned, or too capricious to be guarded against. Not, that experience is thrown away in war, or that caution goes for nothing; but that readiness of expedient on the spur of the occasion is often found of more importance, than the best-considered provisions; something unexpected is for ever turning up, as must be the case where human wills are at work. That makes all the difference between life and mere mechanism.

Passing by the guilty deed of invasion, a few words will show the sources of Napoleon's failures. Murat precipitated measures and exasperated the Spanish nation by the seizure of Madrid; Savary was feeble, and mistook his instructions; Dupont dastardly or treacherous; Joseph was alarmed, and, by his retreat, all but cooped up the French in a corner of Spain. Napoleon arrived in person on the scene, at this critical moment; in a few weeks he replaced his brother in Madrid---impelled his forces onwards---spread them across the country, and drove the English in haste towards the coast. Suddenly, before he could complete his purpose, he was recalled by the brewing of a new war in Austria. He left behind him Soult, an able second, but only a second; though he compelled the English, after the loss of their brave commander, to take refuge in their ships. Soult was then directed to invade Portugal; but he was three months in accomplishing, what Napoleon, in person, would have done in a month, or not at all---And why? Simply, because the Emperor's unrelaxing energy and commanding influence forced all, wherever he himself appeared, to combine, and contribute their best efforts; while, in his absence, one marshal thought himself as good as another, and as well entitled to command. They might not refuse to act, but they acted reluctantly; which in war is often, nay generally worse than not acting at all. Portugal, to the Douro, was at last, fully in Soult's hands; but before he was in a condition to advance upon Lisbon, landed Sir Arthur Wellesley, in command of an English force, and he was forced to retreat again. The English troops were upon him almost before he was aware of their landing. How was this? Treachery was in his camp: the superior officers were conspiring to seize him, make terms with the English commander, place St. Cyr at their head, march to Paris, and force a change of system upon Napoleon. The plot was detected in time to defeat it, but Soult was paralyzed; his own staff withheld information of Wellesley's approach; he was deceived, and finally compelled to abandon his conquest. Wellesley had the king, with Jourdan and Victor on the other frontier of Portugal, in the valley of the Tagus, and dared not pursue Soult farther, nor was their any immediate object of importance to call for farther pursuit.

The battle of Talavera within a few weeks was fought, and Wellington's subsequent position on the Guadiana, though to the sacrifice of his own troops, checked the advance of the French into Andalusia; but the contemptuous neglect of Cuesta and the Junta compelled him, at last, to give up for the present the prosecution of the war in Spain, withdraw to Portugal, and confine his efforts to the defence of that country. His withdrawal was the signal for Joseph's rapid advance upon the south; and the French, troops, from north to south, were generally triumphant—the Spaniards were everywhere disunited and ineffective. The Peninsula was lost but for the occupation of Portugal by the English, and the Portuguese troops disciplined by English officers; and to wrench this remnant from the grasp of Wellington, Massena took the command of a considerable force destined to sweep over, for the third and last time, that ill-fated country. Massena had not been before in the Peninsula, and was a stranger to the jealousies of the French marshals. He was of superior rank too, and any of them might serve under him. They did so, but greatly to their own annoyance: he had solicited the command. Napoleon himself was engaged with his new marriage; and political matters required his presence, is may well be supposed, at Paris. Massena accordingly prosecuted his mission; drove the English back to their lines at Torres Vedras—was baffled by those lines, of the existence of which the knew nothing till he was close upon them; and after a series of impotent efforts, gave up the matter in despair; and, within ten months of his entrance into the country, evacuated it again.

This was Wellington's best triumph; and the details occupy the greater part of that portion of Colonel Napier's third volume, dedicated to what concerns the English troops. Wellington had had no easy time of it, while the French were gathering on the frontiers, or collected in the heart of Portugal. From the time he first took upon him the defence of Portugal, after quitting his position on the Guadiana, to the expulsion of Massena's forces, nearly eighteen months had elapsed; during the whole of which long period no combat of any importance had occurred, except that of Busaco, in the retreat. At home, in consequence, he was subjected to the most annoying constructions, indolence, incompetence, pleasure: every thing of an invidious caste, except, we believe, treachery, was imputed to him. The very ministers partook of the general impatience and distrust; and one of them, urging him to activity, bade him do anything, provided he spilt blood. His own officers worried the government with remonstrances---all were in despair: and, but for his brother, who fortunately or rather it should be said, *wisely*, held the office of Foreign Affairs, he must have sunk under the general combination. The lines of Torres Vedras saved him—saved the ministry themselves—saved Portugal, and ultimately Spain itself. He has deserved all the merit of those lines, and the happy consequences of his own foresight. The evacuation of Portugal turned the scale once more in his favor. He was quickly in a position to make more dazzling movements; and the impatience of the grumbling public was indulged with event and variety.

Meanwhile, in the south, Badajos had been lost; and Beresford was commanded to attempt the recapture. Soult it was quickly learnt, was advancing from Seville, resolved to raise the seige, and drive Beresford across the Guadiana. Wellington hastened to the scene; but arrived, unluckily, too late. As Soult approached, Beresford found he must fight or decamp. Prudence bade him retreat; but the popular cry was for battle, and he had not pluck enough to resist. He picked out his own ground near the village of Albuera, about seven or eight miles from Badajos; encountered the enemy, and reaped an equivocal victory with the loss of 7500 brave fellows- the most disastrous event of the whole war, and the least serviceable. It was a gratuitous destruction. Colonel Napier's volume closes at this point of the story; but no portion of it will present a more complete specimen of the writer's sagacity, fairness, spirit, and perhaps severity, than his remarks upon Beresford's battle of of Albuera; and we quote, accordingly, a few of them.

No general ever gained a great battle with so little increase of military reputation, as Marshal Beresford. His personal intrepidity and strength, qualities so attractive for the multitude, were conspicuously displayed, yet the breath of his own army withered his laurels, and his triumph was disputed by the very soldiers who followed his care. Their censures have been reiterated, without change and without abatement, even to this hour; and a close examination of his operations, while it detects many ill founded objections, and others tainted with malice, leaves little doubt that the general feeling was right.

During the progress of the siege, either the want of correct intelligence or a blunted judgment, misled the marshal. It was remarked that, at all times, he too readily believed the idle tales of distress and difficulties in the French armies, with which the spies generally, and the deserters always, interlarded their information Thus he was incredulous of Soult's enterprise, and that marshal was actually over the Morea before the orders were given for the commencing of the main attack of the castle of Badajos. However, the firmness with which Beresford resisted the importunities of the engineers to continue the siege; and the quick and orderly removal of the stores and battering-train, were alike remarkable and praiseworthy. It would have been happy if he had shown as much magnanimity in what followed.'

Blake and Castanos, who co-operated with Beresford before Badajos, were both for fighting; they could not, they affirmed, retire the way they came; and if their troops were marched into Portugal, they would certainly disperse. Beresford, too, backed the opinion, by arguing that it was unwise to relinquish the hope of capturing Badajos; and, if they retreated into Alentejo, they would only be pursued, and compelled to fight, probably, under more disadvantageous circumstances.

'But these plausible reasons were but a mask: the true cause why the English general adopted Blake's proposals was the impatient temper of the British troops. None of them had been engaged in the battles under Lord Wellington. At Busaco, the regiments of the fourth division were idle spectators on the left, as those of the second division were on the right, while the action was in the centre. During Massena's retreat they had not been employed under fire, and the combats of Sabugal and Fuentes Onoro had been fought without them. Thus a burning thirst for battle was general, and Beresford had not the art either of conciliating or of exacting the confidence of his troops. It is certain, that if he had retreated a very violent and unjust clamor would have been raised against him; and this was so strongly and unceremoniously represented to him, by an officer on his own staff, that he gave way. These are what may be termed the moral obstacles of war. Such men as Lord Wellington or Sir John Moore can stride over them; but to second-rate minds they are insuperable. Practice and study may make a good general as far as the handling of troops and the designing of a campaign; but that ascendancy of spirit which leads the wise, and controls the insolence of folly, is a rare gift of nature.

'Beresford yielded with an unhappy flexibility to the clamour of the army, and the representations of Blake, for it is unquestionable that the resolution to fight was unwarrantable on any sound military principle.

'Marshal Beresford had fixed upon and studied his own field of battle above a month before the action took place; and yet occupied it in such a manner as to render defeat almost certain; his infantry were not held in hand, and his inferiority in guns and cavalry was not compensated for by entrenchments. But were any other proofs of error wanting this fact would suffice, he had a greater strength of infantry on the field of battle scarcely four miles long, and three times the day was lost and won, the allies being always fewest in number at the decisive point. It is true, that Blake's conduct was very perplexing; it is true that General William Stewart's error cost one brigade, and thus annihilated the command of Colonel Colborne, a man capable of turning the fate of a battle, even with fewer troops than those swept away from him by the French cavalry: but the neglect of the hill beyond the Albuera, fronting the right of the position, was Beresford's own error and a most serious one; so also were the successive attacks of the brigades, and the hesitation about the fourth division. And where are we to look for that promptness in critical moments which marks the great commander? It was Colonel Hardinge that gave the fourth division and Abercrombie's brigade orders to advance, and it was their astounding valour in attack, and the astonishing firmness of Houghton's brigade in defence that saved the day; the person of the general-in chief was indeed seen everywhere, a gallant soldier! but the mind of the great commander was seen no-where.

'Beresford remained master of the field of battle, but he could not take Badajos, that prize was the result of many great efforts, and many deep combinations by a far greater man: neither did he clear Estremadura, for Soult maintained positions from Llerena to Usagre. What then did he gain? The power of simulating a renewal of the seige, and holding his own cantonments on the left bank of the Guadiana; I say simulating, for, if the third and seventh divisions had not arrived from Beira, even the investment could not have been completed. These illusive advantages he purchased at the price of seven thousand men. Now Lord Wellington fought two general and several minor actions with a smaller loss, and moreover turned Massena and seventy thousand men out of Portugal!

'Nevertheless, all circumstances considered, they were not and could not be equal to a second desperate struggle, a renewed attack on the 17th would have certainly ended in favor of the French; and so conscious was Beresford of this, that, on the evening of the 16th, he wrote to Lord Wellington, avowing that he anticipated a certain and ruinous defeat the next day. The resolution with which he maintained the position notwithstanding, was the strongest indication of military talent he gave during the whole of his operations; had Soult only persisted in holding his position with equal pertinacity, Beresford must have retired. It was a great and decided mistake of the French Marshal not to have done so. There is nothing more essential in war than a confident front; a general should never acknowledge himself vanquished, for the front line of an army always looks formidable, and the adversary can seldom see the real state of what is behind. The importance of this maxim is finely indicated in Livy, where he relates that, after a drawn battle, a god called out in the night, the Etruscans had lost one man more than the Romans! Hereupon the former retired, and the latter, remaining on the field, gathered all the fruits of a real victory.'

We have scarcely noticed Colonel Napier's sentiments relative to the Spaniards. They have boldly asserted, that the deliverance of the Peninsula was the work of their hands. 'This assertion,' says Colonel Napier,' I combat;' and in the earlier volumes, as well as in the present, he has furnished evidence enough, it might have seemed, to satisfy the most incredulous. It, however, is not so. Prejudice is as stubborn as fact; and Colonel Napier has found it necessary to repel the charge of misrepresentation. Its eloquence will alone entitle the extract to notice.

'I have been charged with incompetence to understand, and, most unjustly, with a desire to underrate the Spanish resistance; but it is the province of history to record foolish as well as glorious deeds, that posterity may profit from all: and neither will I mislead those who read my work, nor sacrifice the reputation of my country's arms to shallow declamation

Digitized with financial assistance from the Government of Maharashtra on 08 April, 2017

upon the unconquerable spirit of independence. To expose the errors is not to undervalue the fortitude of a noble people; for in their constancy, in the unexampled patience with which they bore the ills inflicted alike by a ruthless enemy and by their own sordid governments, the Spaniards were truly noble: but shall I say that they were victorious in their battles, or faithful in their compacts; that they treated their prisoners with humanity; that their Juntas were honest or wise; their generals skilful; their soldiers firm? I speak but the truth, when I assert, that they were incapable of defending their own cause! Every action, every correspondence, every proceeding of the six years that the war lasted, rise up in support of this fact; and to assume that an insurrection so conducted did, or could possibly baffle the prodigious power of Napoleon is an illusion. Spain baffle him! Her efforts were amongst the very smallest causes of his failure. Portugal has far greater claims to that glory. Spain furnished the opportunity; but it was England, Austria, Russia, or rather fortune, that struck down that wonderful man. The English, more powerful, more rich, more profuse, perhaps more brave than the ancient Romans; the English with a fleet, for grandeur and real force, never matched, with a general equal to any emergency, fought as if for their own existence. The Austrians brought four hundred thousand good troops to arrest the conqueror's progress; the snows of Russia destroyed three hundred thousand of his best soldiers; and finally when he had lost half a million of veterans, not one of whom died on Spanish ground, Europe, in one vast combination, could only tear the Peninsula from him, by tearing France along with it. What weakness, then, what incredible delusion to point to Spain, with all her follies, and her never-ending defeats, as a proof that a people fighting for independence must be victorious! She was delivered, because England, enabled that aristocracy to triumph for a moment over the principles of the French revolution.'

In any thing relative to Spain, especially on military matters, Colonel Napier's remarks are deserving of close attention. He has no confidence in the efficiency of the Guerilla system; and at a moment, when the same species of warfare is likely to be attempted in Poland, and is indeed by some warmly urged, Colonel Napier's reasonings against it claim particular consideration.

'It was in the provinces laying between France and the Ebro that the Guerilla system commenced. It was in those provinces that it could effect the greatest injury to the French cause; and it was precisely in those provinces that it was conducted with the greatest energy, although less assisted by the English than any other part of Spain: a fact leading to the conclusion, that ready and copious succours may be hurtful to a people situated as the Spaniards were. When so assisted, men are apt to rely more upon their allies than upon their own exertions. But, however, this may be, it is certain that the Partidas of Biscay, Navarre, Arragon, and Catalonia, although they amounted at one time to above thirty thousand men accustomed to arms, and often commanded by men of undoubted enterprise and courage, never occupied half their own number of French at one time; never absolutely defeated a single division; never prevented any considerable enterprise; never, with the exception of the surprise of Figueras, to be hereafter spoken of, performed any exploit seriously affecting the operations of a single "corps d'armée."

'It is true, that if a whole nation will but persevere in such a system, it must in time destroy the most numerous armies. But no people will thus persevere;—the aged, the sick, the timid, the helpless, are all hinderers of the bold and robust. There will, also, be a difficulty to procure arms, for it is not on every occasion that so rich and powerful a people as the English, will be found in alliance with insurrection; and, when the invaders follow up their victories by a prudent conduct, as was the case with Suchet and some others of the French generals, the result is certain. The desire of ease, natural to mankind, prevails against the suggestions of honour; and, although the opportunity of covering personal ambition with the garb of patriotism may cause many attempts to throw off the yoke, the bulk of the invaded people will gradually become submissive and tranquil. It is a fact that, notwithstanding the violent measures resorted to by the Partida chiefs to fill their ranks, deserters from the French and even from the British formed one-third of their bands.

'To raise whole people against an invader may be easy, but to direct the energy thus aroused, is a gigantic task, and, if misdirected, the result will be more injurious than advantageous. That it was misdirected in Spain was the opinion of many able men of all sides; and to represent it otherwise, is to make history give false lessons to posterity. Portugal was thrown completely into the hands of Lord Wellington; but that great man, instead of following the example of the Supreme Junta, and encouraging independent bands, enforced a military organisation upon totally different principles. The people were, indeed, called upon and obliged to resist the enemy; but it was under a regular system, by which all classes were kept in just bounds, and the whole physical and moral power of the nation rendered subservient to the plan of the general-in chief. To act differently is to confess weakness: it is to say that Government being unequal to the direction of affairs permits anarchy.

The Partida system in Spain was the offspring of disorder, and disorder in war is weakness accompanied by ills the least of which is sufficient to produce ruin. It is in such a warfare, that habits of unbridled license, of unprincipled violence, and disrespect for the rights of property are quickly contracted, and render men unfit for the duties of citizens; and yet it has with singular inconsistency been cited, as the best and surest mode of resisting an enemy, by politicians, who hold regular armies in abhorrence; although a high sense of honor, devotion to the cause of the country, temperence, regularity, and decent manners are of the very essence of the the latter's discipline.

'Regular armies have seldom failed to produce great men, and one great man is sufficient to save a nation: but when every person is permitted to make war in the manner most agreeable to himself, for one that comes forward with patriotic intentions, there will be two to act from personal interest; in short there will be more robbers than generals. One of the first exploits of Espozy Mina was to slay the commander of a neighbouring band, because, under the mask of patriotism, he was plundering his own countrymen: nay this, the most fortunate of all the chiefs, would never suffer any other Partida than his own to be in his district; he also, as I have before related, made a species of commercial treaty with the French, and strove earnestly and successfully to raise his band to the dignity of a regular force.'

St. Cyr, a man of acknowledged talents, has published similar sentiments. After considerable experience of this mode of warfare, while in Catalonia, he comes to the conclusion, that the evil was greater than the benefit.'

ST. JOHN LONG.—The case of Mr. St. John Long against Chubbs, a bookseller in Holywell Street, was tried on Wednesday, in the Court of Common Pleas. Chubbs some time ago published a libel, as it is called, on the consumptive doctor; in which he described him as a Scotchman, a painter, and a great many more things. Chubbs also stated, that Mr. Long had become a doctor, from design, not accident,—that being surprised in a questionable predicament with a young lady whose portrait he was attempting to paint, he declared to her father that he was a doctor as well as a dauber; and having succeeded in obtaining belief, he thenceforth betook him, at leisure and from deliberation, to a profession which he had chosen hastily and on an emergency that left him no alternative. There was a great deal of abuse of Mr. Long's skill as a surgeon, which the Court made very light of. Mr. Sergeant Wilde, the counsel for Mr. Long, gave, in the course of his address to the Jury, an anecdote of himself which is worth recording; as a specimen of the pleasant exaggerations in which lawyers on such a subject can indulge. He said, "upon one occasion he was dangerously ill, and being attended by Dr. Baillie and Mr. Clyne, those gentlemen at last informed him, *with tears in their eyes*, that they did not know what to do for him; *they had given him every known poison without being able to produce any effect*; and they did not know what further they could do. He was advised to change these gentlemen for some others, but he refused; and ultimately he recovered, very much to their astonishment." It is no easy matter, it would appear, to poison a sergeant-at-law; is it a pity but the member for Newark had occupied the place of Miss Cashin. Mr. Sergeant Spankie, for Chubbs, contended that the only object of the publication complained of was, to exhibit Long as a quack,—or, as Johnson had defined it, an ignorant, artful, and boastful pretender. He thought he would receive more advantage from the puff of the trial than damage from the alleged libel. The Lord Chief Justice observed, that the publication was undoubtedly libellous, because, in addition to the charges of quackery and imposture, they were imputation on the private character of Mr. Long, which were not attempted to be established by proof. The Jury, thus instructed, gave a verdict of 100*l*.

MISCELLANEA.

POST OFFICE ARRANGEMENTS.—In consequence of the two penny post office limits not extending to Grosvenor place, Belgrave-square, Eaton-square, and the adjacent streets, Mr. Cubitt, by whom the greater part of the new buildings have been erected, engaged to receive letters from persons residing in the immediate neighbourhood at his own office. Finding the number of letters very great, he directed one of his people to apply to the post-office solicitor for permission to have a letter-box affixed to his door. Having understood that the post office acquiesced, the box was affixed. About three months after Mr. Cubitt received an official communication from the Duke of Richmond, informing him that he had incurred penalties to the amount of upwards of 1000*l*. An affidavit of the individual who had been commissioned to apply to the post-office solicitor has been laid before his Grace, and it is believed that in consequence nothing more will be heard of the matter.

In taking the population of the parish of Beyton near this town, the number of males was found to exceed that of the females by a majority of two. Whilst the overseers, were however, over their pot of beer, making up the return, two events happened which brought the population to par: a male died, and a female was born. In the Southgate-street of this town the females exceed themales by about 300.—*Burry Herald*.

PACCHINOTTI.—It is said of him, that on one occasion, when, playing at Rome the character of *Arbaces*, he pronounced the three words, 'Eppur sono innocente,' in so touching a manner, that the very orchestra stopped: a short symphony, which should have immediately succeeded his delcaration of innocence, was neglected; and on his demanding somewhat angrily of the leader what he and his subordinates were about? the flattering answer was, 'Sir, we are weeping!'—*Harmonicon*.

The Fire Insurance Offices are sometimes plagued with applications from insurers of a certain class, who are determined to have the worth of their money. Claims are frequently made for the accidental tumbling of clothes into the fire; and it was not long since a claim was made for the value of the dress of a little girl who was burned to death. An elderly gentleman, who was insured in the Eagle Fire Insurance Office a few years ago, produced his hat with a small hole burnt in it, at the office, and said he considered himself entitled to the sum of 28*s*. the price it originally cost him. "Why," said the Actuary, "you have worn it for several years, and it is worth little or nothing."—"To me," said the insurer, "it was of great value, for I esteemed it as an old friend, and would never have parted with it while it covered my head."—"But how," said the Actuary, "did you burn the hole in it? Any one may burn a hole in an old hat, to get a new one."—"I did it by accident." said the claimant. "I was reading the account of a victory in a newspaper, and I really knew nothing of the matter until I found my head on fire." The establishment asked him whether he thought a guinea would not be a recompense under the circumstances, and he consented to take it. Upon another occasion, a lady demanded the value of a quantity of beautiful curls which she wore ("the skull that bred them in the sepulchre.") It happened that she nodded over a prayer-book and the candle caught her locks and set them in a blaze. Her claim was immediately allowed.

CLIMAX ON PAGANINI.—Last night, a gentleman in the Opera pit, expatiating on the wonderful powers of the virtuoso, and after much superlative phrase, concluded thus—"Wonderful! wonderful! 'Pon my soul, that 'ere last was just like a *wistle!*"

CONTRACTS FOR ARMS.—The execution of the French contracts for arms taken by the manufactures of Birmingham is, for the present, suspended. Orders to this effect were received on Thursday evening; and, in obedience to instructions, the inspector appointed to superintend the work went to London the same evening. A few months ago, it was currently reported that our manufacturers had received offers for arms from Poland. Such, we are now inclined to believe, was the case. Within this last fortnight, from fifteen to twenty thousand stand of arms have been exported to the Continent, painted and packed as gas-piping.—*Birmingham Journal*.

IRISH KNOWLEDGE.—A Captain of a man-of-war, newly appointed to a ship on the Irish station, took the precaution, in "beating out" of harbour, to apprize the pilot that he was totally unacquainted with the coast, and therefore he must rely entirely on the pilot's local knowledge for the safety of the ship. "You are perfectly sure pilot," said the captain, "you are well acquainted with the coast?" "Do I know my own name, Sir?" "Well, mind I warn you not to approach too near to the shore." "Now make yourself *asy*, Sir; in troth you may go to bed, if you plase." "Then, shall we stand on?" "Why,—what else would we do?" "Yes, but there *may* be hidden dangers which you know nothing about." "Dangers! I like to see the dangers *dar* hide themselves from Mick. Sure, don't I tell you I know every rock on the cost? [Here the ship strikes] and *that's* one of 'em!"—*Metropolitan*.

AMERICAN DUEL.—At Rodney, on the 13th April, Dr. B. H. Moyler, of Lake Washington, challenged John Briscoe, Esq. just as Mr. Briscoe had dressed himself to attend a wedding. Briscoe endeavoured to avoid any contest till the wedding was over; but the Doctor claimed instant satisfaction, spit in his face, and at the same time attempted to draw a large duelling-pistol from his bosom, but was prevented. Briscoe ran into a store, where he procured a short gun, and coming out, called to the company to clear the way. At eleven paces, both raised their weapons; Briscoe's snapped; Dr. Moyler shot Briscoe in the arm and abdomen, and had drawn another pistol, and was in the act of firing, when Briscoe's gun, being recocked, went off; the Doctor fell, and died the same night. The American paper which narrates this pleasant affair, calls it "a rencontre!"

LEGAL DILEMMA.—On Tuesday, William Wackerill was tried before the Recorder on a charge of wilful and corrupt perjury. On the 17th July last, in a case of bail, Wackerill swore that he was a gentleman, and posessed nine freehold houses, conjointly with his brother, near Bugby, in Cumberland; and that he had an allowance of 23*l*. per annum from his brother, a veteterinary surgeon. Two months after he had sworn to these facts, he came before the Insolvent Court on his petition to to take the benefit of the act. In his schedule, to which of course he also swore, he described himself as a blacksmith, residing at No. 2, New Street, New Cut, Lambeth; and stated, that for the preceding four years he had not earned twenty shillings, but had been entirely supported by his wife, who was a washerwoman, and he possessed no property of any kind whatsoever. Mr. Bodkin took an objection: It was not sufficient, to convict a party of perjury, to prove simply that they had sworn at one time that to be true which they afterwards swore to be false. In this case, which would the Jury decide was true—the swearing at Sergeant's Inn, or the swearing in the Insolvent Court? The Jury acquitted the prisoner. After all, the prisoner will not take much by his motion,——he is to be tried for the same crime as committed at the Insolvent Debtors' Court; in which case, the present acquittal must be held to be proof positive of his guilt; for, though both oaths may be false, they cannot be both true.

THE POLITICAL LETTER.—The case of the editor and proprietor of a newspaper published under this tittle came before the Exchequer Court on Saturday. The charge was evasion of the stamp duty on newspapers, and nonfulfilment of the law which requires securities from proprietors and publishers of political journals. The editor made a tremendous speech of five hours' length, with a view to prove that the *Political Letter* was not a newspaper; but the Court and Jury thought otherwise. The penalties sued for amounted to 120*l*. only; but the defendant is besides liable in the stamp duties on all the letters he has published. The *Political Letter* is said to have had an enormous circulation; but rating it at only 12,000 per week, and that twenty letters have been published the duties will amount to 3,200*l*. It was stated in the prospectus, that the letter was published merely to try a legal question; the trial has been a pretty expensive one.

THE POTOSI MINING COMPANY.—Mr. Healey, who has been charged with forging shares of this company was examined at the Mansionhouse on Wednesday. Mr. Lusado, one of the Directors, was examined by Mr. Alley; who seems to have amused the court not a little by his description of the Company. He said he thought that if any trick was excusable, it was that by which such nefarious humbugs as the bubbles of 1825 were likely to be completely blown into the air. How any of them could exist—by what extraordinary means they could still be kept in play, was to him quite unintelligible. If the certificates, produced and described as forgeries were accountable receipts, or negotiable securities, all the Directors were responsible to the full extent of the instalments paid, and there could be no excuse for selling for a few shillings that which cost nearly as many pounds. He had a word of comfort for the Di[rectors]. They were not accountable, and the[ir] ments circulated by their sanction were more nor less then "certificates"—not to be found in the act quoted in p[ro]the felony. "Oh the Lord deliver me," cluded the counsellor, "from such Directors, such mines, and such shares, genuine and co[un]terfeit—they all deserve to be thrown into a b[ag] and well shaken together."

Mr. Lusado—"I return you my thanks, S[ir] for your kindness in wishing to shake [me] a bag."

Mr. Alley—"But I find, too, upon loo[king] at the certificate, that six years have el[apsed] so that we have the Statue of Limitations [in] favour."

Mr. Phillips—"Exactly so. I perceive it was upon that most congenial of days the [1st] of April."

Healey was held to bail, on the charge of misdemeanour in selling mock certificates as real; the forgery being given up.

CARRIAGE OF LIVE STOCK ON THE RAILWAY.—On Thursday last the Railway Company began to convey a new class of passengers. On that day forty-nine Irish pigs quitted Liverpool in one carriage, and arrived safely at Manchester, after a most noisy journey. The respectable quadrupeds evidently did not like the new mode of travelling, and in passing through the tunnel made an outcry, which "echoed through the hollow dark abyss," and startled all within hearing. Since that time upwards of 300 of the tusky herd have made the same journey, being probably the first set of pigs that have travelled in a locomotive since the creation of the world. The fare for a pig is 1*s* 6*d*., being [only] half the fare of a pig driver. The [Com]pany will begin to carry cattle very soon; several commodious carriages having been constructed for their accomodation.—*Manchester Herald*.

EXTRAORDINARY FEAT.—On Mon[day] rather extraordi ary feat was per[formed] Captain Copeland, of the Bays, in a [field] the Horse Barracks, Manchester. The Captain undertook, for a considerable wa[ger] gather up one hundred stones, each [placed] a yard asunder, and to deposit the same [in a] basket, separately, within an hour. This is nothing new in the annals of sporting; but what made this case more extraordinary was that the Captain was to perform the same [on] horseback, consequently having to mount and dismount at the gathering and depositing of each stone, say two hundred times. The Captain, with two ponies, gallantly accomplished his undertaking in 45 minutes.

ZOOLOGICAL SOCIETY.—The Society has just received a most important addition in the purchase of a male elephant, recently arrived from Madras. Preparations have been commenced for enclosing with a most substantial fence a portion of the Society's garden, as a paddock in which he is to range; and in the centre of which is to be formed a capacious pond for the huge animal to bathe in. The elephant reached the gardens on Friday last week, having walked from the East India Docks in little more than two hours. He evinced a great liking on board of ship, to articles of female apparel: at Blackwall, he took from her head, and devoured, a lady's bonnet; and took from another her reticule, containing half-a-dozen nonpareils, which he swallowed bag and all!

BOMBAY.—Printed and Published for the Proprietors by SHREECHUSINA JAGONNATHJEE, at the Press, No 7, Bell-lane, where all [letters] addressed to the EDITOR, are